



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

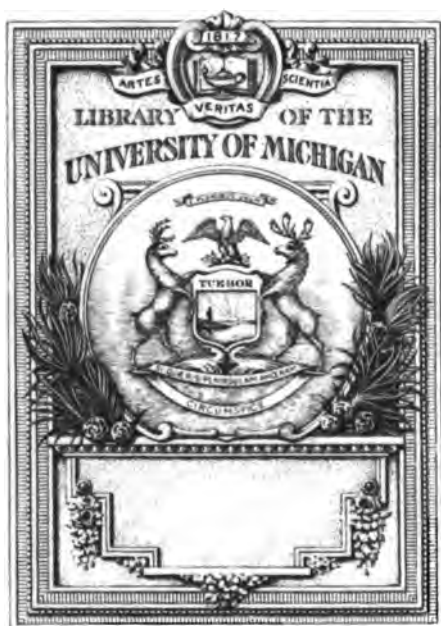
Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>



JOURNAL

OF THE

SENATE OF MISSOURI

OF THE

THIRTY-FIRST GENERAL ASSEMBLY.

REGULAR SESSION.

JEFFERSON CITY:

TRIBUNE PRINTING COMPANY, STATE PRINTERS AND BINDERS.

1881.

40
Digitized by Google



JOURNAL OF THE SENATE.

FIRST DAY—WEDNESDAY, January 5, 1881.

The Senate was called to order at 12 o'clock m., by the Hon. Henry C. Brokmeyer, Lieutenant-Governor and President of the Senate.

Prayer by the Rev. Dr. Masker.

The President appointed W. H. Mayo and E. B. Mills Secretaries *pro tem*.

The President laid before the Senate the following communication from Hon. M. K. McGrath, Secretary of State:

STATE OF MISSOURI, DEPARTMENT OF STATE, }
CITY OF JEFFERSON, January 5, 1881.

To the Honorable, the President of the Senate of Missouri:

SIR: As required by law, I have the honor to lay before your honorable body herewith a list of the names of members of the Senate of the State of Missouri, elected at the general election held on the second day of November, A. D. eighteen hundred and eighty, as the same appear from the returns in my office; and also a list of the members of said Senate who hold over.

I have the honor to be, very respectfully,

Your obedient servant,

MICH'L K. McGRATH, Secretary of State.

SENATORS ELECTED TO THE THIRTY-FIRST GENERAL ASSEMBLY OF
THE STATE OF MISSOURI AT THE NOVEMBER ELECTION, 1880.

Thomas C. Dungan.....	First District.
William W. Bland.....	Third District.
Wesley A. Jacobs.....	Fifth District.
Owen T. Rouse.....	Seventh District.
James L. Stephens.....	Ninth District.

Thomas G. Hutt.....	Eleventh District.
Benjamin F. Dobyns.....	Thirteenth District.
Thomas V. Bryant.....	Fifteenth District.
Elisba M. Edwards.....	Seventeenth District.
John T. Heard.....	Nineteenth District.
John F. McMahan.....	Twenty-first District.
Thomas J. O. Morrisson.....	Twenty-third District.
Thomas Mabrey (to fill vacancy).....	Twenty-fourth District.
F. W. Pehle.....	Twenty-fifth District.
Thomas G. Allen.....	Twenty seventh District.
Henry Manistre.....	Twenty-ninth District.
James McGrath.....	Thirty-first District.
Henry L. Rogers.....	Thirty-third District.

SENATORS HOLDING OVER.

Ahira Manring.....	Second District.
David J. Heaston.....	Fourth District.
Andrew Mackay.....	Sixth District.
Henry F. Caldwell.....	Eighth District.
Albert H. Edwards.....	Tenth District.
Lewis F. Cottey.....	Twelfth District.
James N. Bradley.....	Fourteenth District.
Lewis M. Lloyd.....	Sixteenth District.
John B. Perkins.....	Eighteenth District.
David A. D'Armond.....	Twentieth District.
Samuel H. Headlee.....	Twenty-second District.
Samuel Byrns.....	Twenty-sixth District.
James H. Walker.....	Twenty-eighth District.
Ferdinand Gottschalk.....	Thirtieth District.
Edward C. Cabell.....	Thirty-second District.
David H. Naylor.....	Thirty-fourth District.

Which was read by the Secretary.

Senator Cottey offered the following resolution, which was read the first and second times and adopted :

Resolved, That the Secretary call the Senatorial districts in numerical order, and as they are called the Senators elect shall advance to the bar of the Senate and present their certificates of election, which certificates shall be read aloud by the Secretary, and, if found to conform to the requirements of the law, and no objection be made, the persons holding them respectively shall be sworn in as members of the Senate.

In pursuance of the foregoing resolution, on call of the roll of members elect the following Senators came forward, presented their credentials, took and subscribed to the oath of office and took their seats as Senators :

Senators Dungan, Bland, Jacobs, Stephens, Hutt, Dobyns, McMahan, Morrisson, Mabrey, Pehle, McGrath and Rogers.

The following gentlemen presented their credentials, which were read, and being by the Senate deemed irregular and not in conformity with the requirements of the Constitution, the same were referred to the Committee on Elections:

Mr. Owen T. Rouse, from the Seventh Senatorial District.

Mr Elisha M. Edwards, from the Nineteenth Senatorial District.

Mr. Thos. G. Allen, from the Twenty-seventh Senatorial District.

Mr. Henry Manistre, from the Twenty-ninth Senatorial District.

Senator Edwards of St. Charles offered the following resolution, which was read first and second times and adopted:

Resolved 1, That a committee of five be appointed by the President to prepare and submit rules for the government of the Senate for the present session, and report with all convenient speed.

Resolved 2, That the rules of the Senate for the Thirtieth General Assembly, so far as the same can apply, shall be and are the rules of the present body, until the report of said committee shall have been adopted in whole or in part.

Resolved 3, That the report of said committee shall be in order and take priority of all motions and orders, as prescribed in the rules of the Senate for the Thirtieth General Assembly.

Senator Heaston offered the following resolution, which was read first and second times and adopted:

WHEREAS, There have been matters referred to the Committee on Elections requiring prompt examination; therefore

Resolved, That the Committee on Elections of the Thirtieth General Assembly be continued, and that the President appoint to fill the vacancies, and that said committee continue until the regular committees are appointed.

Senator Cabell offered the following resolution, which was read first and second times and adopted:

Resolved, That the Secretary of State is hereby authorized to furnish each member of the Senate a copy of the last Revised Statutes of Missouri for use during the present session.

On motion of Senator Edwards of St. Charles, the Senate adjourned until 10 o'clock to-morrow morning.

SECOND DAY—THURSDAY, January 6.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Rev. Dr. Masker.

The journal of yesterday read and approved.

On motion of Senator Bradley, the President appointed Senators Bradley, Morrisson and Stephens, as a Special Committee to superintend the ventilating and heating of the Senate Chamber.

Senator Mackay offered the following resolution, which was read and adopted:

Resolved, That the Senate now proceed to elect permanent officers for the session, and that they be elected in the following order:

First—President, *pro tem*.

Second—Secretary.

Third—Assistant Secretary.

Fourth—Sergeant-at-Arms.

Fifth—Doorkeeper.

Sixth—Chaplain.

Seventh—Folder and Messenger.

Eighth—Official Reporter.

Ninth—Two Pages.

The President then announced that nominations for President *pro tem*. of the Senate were now in order.

Senator Cottey nominated Senator Morrisson.

Senator Rogers nominated Senator Gottschalk.

There being no other nominations, the roll of the Senate was called, and the following Senators voted—

FOR SENATOR MORRISON—Senators Bland, Bradley, Byrns, Caldwell, Cottey, DeArmond, Dobyns, Edwards of St. Charles, Headlee, Heaston, Hutt, Lloyd, Mabrey, Mackay, Manring, McMahan, Naylor, Perkins, Stephens and Walker—20.

The following Senators voted—

FOR SENATOR GOTTSCHALK—Senators Dungan, Jacobs, Pehle and Rogers—4.

Senator Morrisson, having received the votes of a majority of all the Senators elect, was declared duly elected President *por tem.* of the Senate.

The President then announced that nominations for Secretary of the Senate were in order.

Senator DeArmond nominated Francis C. Nesbit.

There being no other nomination, the roll was called, and the following voted—

FOR FRANCIS C. NESBIT—Senators Bland, Bradley, Byrnes, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Gottschalk, Headlee, Heaston, Hutt, Jacobs, Lloyd, Mabrey, Mackay, Manring, McMahan, Morrisson, Naylor, Pehle, Perkins, Rogers, Stephens and Walker—26.

There being no dissenting vote, Mr. Nesbit was declared unanimously elected Secretary of the Senate.

Nominations for Assistant Secretary being in order,

Senator Edwards of St. Charles nominated Wm. H. Mayo of St. Louis.

There being no other nomination, on call of the roll, the following Senators voted—

FOR MR. MAYO—Senators Bland, Bradley, Byrnes, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Headlee, Heaston, Hutt, Lloyd, Mabrey, Mackay, Manring, McMahan, McGrath, Morrisson, Naylor, Pehle, Perkins, Rogers, Stephens and Walker—25.

There being no dissenting vote, Mr. Mayo was declared unanimously elected Assistant Secretary of the Senate.

Nominations for Sergeant-at-Arms being in order,

Senator Walker nominated Ashley W. Ewing of Cole county.

There being no other nomination, on call of the roll, the following Senators voted—

FOR MR. EWING—Senators Bland, Bradley, Byrnes, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Gottschalk, Headlee, Heaston, Hutt, Jacobs, Lloyd, Mabrey, Mackay, Manring, McMahan, McGrath, Morrisson, Naylor, Pehle, Perkins, Rogers, Stephens and Walker—28.

There being no dissenting vote, Mr. Ewing was declared unanimously elected Sergeant-at-Arms of the Senate.

Nominations for Doorkeeper being in order,

Senator Lloyd nominated Benjamin P. Bailey of Callaway county.

There being no other nomination, on call of the roll, the following Senators voted—

FOR MR. BAILEY—Senators Bland, Bradley, Byrnes, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Gottschalk, Headlee, Heaston, Hutt, Jacobs, Lloyd, Mabrey, Mackay, Manring, McMahan, McGrath, Morrisson, Naylor, Pehle, Perkins, Rogers, Stephenson and Walker—28.

There being no dissenting vote, Mr. Bailey was declared unanimously elected Doorkeeper of the Senate.

Nominations for Chaplain being in order, Senator Naylor nominated Rev. Wm. A. Masker.

There being no other nomination, the roll was called and the following Senators voted—

FOR REV. MR. MASKER—Senators Bland, Bradley, Byrnes, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Gottschalk, Headlee, Heaston, Hutt, Lloyd, Mabrey, Mackay, Manring, McMahan, McGrath, Morrison, Naylor, Pehle, Perkins, Rogers, Stephens and Walker—27.

Mr. Masker having received all the votes cast, was declared unanimously elected Chaplain of the Senate.

Senators Morrisson nominated H. O. Ross for Folder and Messenger of the Senate, who was declared unanimously elected by the following vote, there being no dissenting voice :

Senators Bland, Bradley, Byrnes Cabell, Caldwell, Cottey, DeArmond Dobyns, Dungan, Edwards of St. Charles, Gottschalk, Headlee, Heaston, Hutt, Jacobs, Lloyd, Mabrey, Mackay, Manring, McMahan, McGrath, Morrisson, Naylor, Pehle, Perkins, Rogers and Stephens—28.

Senator Cabell nominated W. T. Marsh for Official Reporter of the Senate, and, no other nomination being made, Mr. Marsh was declared unanimously elected by the following vote :

Senators Bland, Bradley, Byrnes, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Gottschalk, Headlee, Heaston, Hutt, Jacobs, Lloyd, Mabrey, Mackay, Manring, McMahan, McGrath, Morrisson, Naylor, Pehle, Perkins, Rogers and Stephens—27.

Senator Heaston nominated Richard W. Phipps and Fred. Weatherby for Pages of the Senate.

There being no other nominations, Richard W. Phipps was declared unanimously elected by the following vote, there being no opposing vote :

Senators Bland, Bradley, Byrnes, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Gottschalk, Headlee, Heaston, Hutt, Jacobs, Lloyd, Mabrey, Mackay, Manring, McMahan, McGrath, Morrisson, Naylor, Pehle, Perkins, Rogers, Stephens and Walker—28.

Fred. Weatherby was declared unanimously elected by the following vote, there being no dissenting vote :

Senators Bland, Bradley, Byrnes, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Gottschalk, Headlee, Hutt, Jacobs, Lloyd, Mabrey, Mackay, Manring, McMahan, McGrath, Morrisson, Naylor, Pehle, Perkins Rogers, Stephens and Walker—27.

Senator Heaston offered the following resolution, which was read first and second times and adopted :

Resolved, That the Secretary of the Senate inform the House of Representatives that the Senate is now organized by the election of the following officers: Thomas J. O. Morrison, President *pro tem.*; Secretary, Francis C. Nesbit; Assistant Secretary, Wm. H. Mayo; Sergeant-at-Arms, Ashley W. Ewing; Doorkeeper, Benjamin P. Bailey; Chaplain, Rev. Wm. A. Masker; Official Reporter, W. T. Marsh; Folder and Messenger, H. C. Ross; Pages, Richard Phipps and Fred. Weatherby.

Senator Morrison offered the following resolution, which was read and adopted :

Resolved, That the Secretary be authorized to appoint two journal clerks, one docket clerk and one minute clerk, to serve during the present session.

Senator Edwards of St. Charles offered the following resolution :

Resolved, That the President appoint a committee of three to wait upon the Governor and inform him of the due organization of the Senate, and its readiness to receive any communication which he may desire to make to this body ; which was read first and second times and adopted, and the President appointed as such committee Senators Edwards, Hutt and Rogers.

Mr. Thos. V. Bryant, Senator elect from the 15th district, came forward, presented his credentials, took and subscribed the oath of office, and took his seat as a Senator.

In conformity with a resolution previously adopted, the President appointed Senators Mackay and Rogers on the temporary Committee on Elections.

On motion of Senator Morrisson, all the officers elect came forward, took the oath of office and entered upon their duties.

Senator Walker offered the following resolution, which was read and adopted :

Resolved, That the doorkeeper be authorized and empowered to appoint six laborers and one night watch, the same to be paid out of the contingent fund.

On motion of Senator Cottey, the Senate took a recess for fifteen minutes at 10:45 A. M.

At 11 o'clock, the recess having expired, the President called the Senate to order; when the committee, appointed to wait upon his excellency the Governor, reported that they had performed the duty assigned them, and that his excellency would transmit his message at 2 o'clock P. M. to-day; which report was accepted and the committee discharged.

The following message was received from the House of Representatives by Mr. Hawley, chief clerk:

HOUSE OF REPRESENTATIVES, CITY OF JEFFERSON, }
January 6th, 1881.

MR. PRESIDENT: I am instructed by the House of Representatives to inform the Senate that the House of Representatives is now fully organized by the election of the following officers:

T. P. Bashaw, Speaker; Joseph S. Richardson, Speaker *pro tem.*; J. H. Hawley, Chief Clerk; John A. Hannay, Assistant Chief Clerk; J. C. Kirby, Enrolling Clerk; John P. Dunklin, Engrossing Clerk; Henry E. Moore, Doorkeeper; Newton M. Cobb, Sergeant at Arms; E. P. Caruthers, Official Reporter, and Rev. T. W. Barrett, Chaplain; and that the House is now ready to proceed to business.

Senator Cottey introduced Senate bill No. 1, entitled "An act regulating the interest of money," which was read first time.

The following message was received from the House of Representatives through Mr. Hawley, chief clerk:

CHAMBER HOUSE OF REPRESENTATIVES, CITY OF JEFFERSON, }
January 6th, 1881.

MR. PRESIDENT: I am instructed to inform the Senate that the House is now fully organized and ready to proceed, under section 3 of article — of the Constitution, to open and publish the returns of the late election for State officers, and respectfully request the Senate to meet in the Hall of the House immediately, to open and publish said returns in joint session.

In conformity with the foregoing request of the House, the Senate, on motion of Senator Morrisson, proceeded to the Hall of the House of Representatives for the purpose of publishing the returns for State officers.

Senator Cabell moved that when the Senate adjourn, it adjourn to meet again on Saturday morning at 10 o'clock. Carried.

The following message was received from his excellency, Governor John S. Phelps, through his Private Secretary, Mr. Yost:

Senators and Representatives:

The Constitution requires the Governor of this State, at the close of his term of office, to give information to the General Assembly of the condition of the State, and to recommend such measures as he shall deem expedient. In this message, I have endeavored to comply with those requirements by giving you, in a brief manner, information of the condition of the State, and to mention but few matters upon which legislation is, in my opinion, required. The affairs of the State are in a prosperous condition; the laws are generally faithfully executed; quiet prevails; the people are prosperous; the costs to the State of criminal prosecutions are diminished; the Penitentiary has become a self-sustaining institution, and economy prevails in all departments of the State government.



THE TREASURY.

The condition of the Treasury naturally first attracts the attention of the tax-payers. They maintain and support the government, and have the right to inquire and be informed how and in what manner their contributions have been applied and expended. The expenditures of our State government are necessarily divided into expenditures to liquidate the indebtedness of the State, the payment of the interest on the same, the payments of salaries and compensation of officers for the due execution of the laws, and the expenses of levying and collecting the money needed and required to keep the machinery of government running. A part of that machinery consists of our courts of justice, where the rights of parties to property are settled, damages awarded for injuries done to persons or property, and those guilty of crimes are punished. We have also the blind, the mutes and the insane to care for, educate and protect. Their misfortunes and their maladies enlist our sympathies. Not sufficiently numerous to require asylums in every county for their education and support, the care of these people devolves upon the State, and a part of the revenue of the State is bestowed in erecting suitable buildings for their comfort and maintenance, and expenditures on this account may be classed as eleemosynary, yet in part partaking of educational. It is said the safety of our government, in part, depends on the education of the people. The eminent legislators of this State, in recognition of that fact, did, at an early day, establish an excellent system of public schools, and also provided for a State University. This brings us to another branch of expenditures—the educational. Besides the State University and the public schools, other institutions of learning have

been established by the State for the purpose of educating and training the students to be instructors in our schools. I refer to the three State Normal Schools and to the Lincoln Institute. The latter is now a State institution, and is designed especially for the education of colored persons.

The receipts from all sources, including the balance on hand January 1, 1879, and disbursements from the revenue fund for the last two years, are as follows :

Revenue Fund.	Dr.	Cr.
By balance January 1, 1879.....		\$120,224 98
By transfers from library fund.....		1,355 30
By proceeds from sale of \$250,000 revenue renewal bonds in June, 1879.....		256,875 00
By receipts in 1879 from revenue sources.....		\$443,603 49
By receipts in 1880 from revenue sources.....		1,328,586 74
By amount refunded by Carter & Regan.....		19 16
To transfer to school moneys March, 1879.....	\$328,255 18	
To transfer to school moneys March, 1880.....	340,746 09	
To warrants issued in 1879.....	*1,414,583 19	
To warrants issued in 1880.....	778,053 48	
To balance.....	284,026 78	
Total.....	\$3,145,664 67	\$3,145,664 67

This shows a balance of \$284,026.78 in the Revenue fund. But a part of these receipts, though properly placed in the Revenue fund, are not usual receipts, as \$256,875 thereof were the proceeds of the sale of two hundred and fifty renewal revenue bonds of \$1,000 each, authorized to be issued and sold by an act of the Legislature, approved May 9th, 1879, to pay the revenue bonds which were issued in accordance with the act of April 23d, 1877.

It is to be observed, also, that \$250,000, with \$30,000 interest on the same, are not ordinary expenditures.

There has been expended for the maintenance and support of our eleemosynary institutions, for the last two years, the sum of \$327,057.50, paid from the Revenue fund. This includes the cost of rebuilding the Lunatic Asylum, in 1879-80, at St. Joseph.

* This includes \$250,000 paid for revenue bonds which matured June 1, 1879.

There was also expended during the same time, in support of our common schools, the Lincoln Institute, the three Normal Schools and the State University, the sum of \$1,145,381.89. But of this amount the sum of \$363,720 was paid out of the Interest fund, being the amount of interest which had accrued on bonds and certificates of indebtedness of the State, held in trust for the State School and Seminary funds. Nevertheless, those sums of money were raised by taxation of our people during the last two calender and fiscal years.

OF THE REVENUE.

The revenues of the State will naturally increase some with the increase of population and of wealth. The price of property, and particularly of real estate, has been greatly depressed for a few years last past. In the latter part of 1879, the price of all kinds of property increased, but at too late a period to enable the enhanced valuation to materially effect the assessment of that year. It must be borne in mind all persons are required to give in the property held and owned by them on the 1st day of August, and the valuation of the same is to be made of that date, but the taxes will not be ready for collection on that assessment till the autumn of the next year. The following statement shows the valuation of the real estate, the personal property, and the railroads, bridges and telegraphs, in this State, for the years name:

1878:

Land.....	\$218,726,215
Town lots.....	167,167,113
Personal	142,620,636
Railroads, telegraph and bridges.....	26,726,591
Total.....	\$555,240,555

1879:

Land.....	\$212,519,110
Town lots.....	169,036,454
Personal property	147,661,910
Railroads, telegraph and bridges.....	29,143,969
Total.....	\$558,361,443

The assessment of 1879 is the assessment upon which the tax has just been collected, and the assessment of property which was made on the 1st day of August last, is not yet completed, but the tax will be payable in the autumn of 1881, and will be levied on that valuation.

Additional taxes will be derived from licenses and from the ad valorem tax levied on merchants and manufacturers, as well as dram-shop or beer-house licenses. For more particular and specific information concerning the revenue, I refer you to the report of the State Auditor, and the valuable tables accompanying it. I am of opinion a portion of the Renewal Revenue bonds can be paid at their maturity, but not all.

STATE INTEREST AND SINKING FUND.

The tax which forms the Interest fund, is one-fifth of one per cent., or 20 cents on the \$100 of the assessed value of property, levied on all real estate and other property and effects subject to taxation, and, by the provisions of the Constitution, is to be applied to the payment of the interest on the public debt. The interest on the public debt has been promptly met and paid. The residue of the Interest fund constitutes the Sinking fund, and it is to be applied to the extinguishment of the bonded indebtedness of the State. During the years 1877 and 1878, the sum of \$535,000 was paid in the extinguishment of the public debt. The law provides when there is sufficient money in the Sinking fund to purchase one or more bonds of the State, the Fund Commissioners shall call in for payment a like amount of the bonds of the State, (the Hannibal and St. Joe Railroad bonds expected,) but the commissioners shall not purchase or redeem any such bonds at a higher rate than their "face value." No bonds of this State fell due in 1879, according to the previous reports of the Fund Commissioners, and all description of bonds which the commissioners were authorized to purchase sold in market at a premium of from 4 to 10 per cent. None of the "option," or 5-20 bonds were redeemable till the 1st of May of last year. Public notice was given that all which were redeemable at that date, and designated by their numbers and series, would be paid on presentation to the National Bank of Commerce in the City of New York, and that interest would cease on and after that date. This bank had been, by the commissioners, previously selected as the depository and fiscal agent of the State for the payment of the interest, payable in New York, on the bonded debt. Money was, by order of the Fund Commissioners, deposited with said bank for that purpose. As the interest on the bonded indebtedness was due on the 1st of July, in the opinion of the Fund Commissioners, no more money could be spared for the redemption of bonds at that date. Public notice was given that \$40,000 of bonds would be redeemed on 31st of July last, and that interest would cease on and after that date, and another public notice was given that \$75,000 of bonds would be redeemed on the 31st of August last, and that interest would cease on and after that date. Funds

wherewith to redeem said bonds were placed with the Bank of Commerce at the time the said notices were respectively given. The payment of the interest on the public debt on the 1st of January last, was dependednt on the collection of taxes during the months of November and December. A large amount of the taxes collected in the month of December is not received at the Treasury till some time in the month of January. Yet \$402,000 was, in the month of December last, remitted to the National Bank of Commerce of New York City, for the payment of the interest due on the public debt on the first of this month, payable in the City of New York. The interest due for the year 1880 on the bonds held in trust for the Public School fund, amounting to \$120,540, was set apart in the Treasury in the month of December last, though none of it will be disbursed till the month of March; and \$3,660, the interest due the first of January last on the bonds held in trust for the Seminary fund, has been paid to the Treasurer of the Board of Curators of the State University. The interest on the certificate of indebtedness of \$900,000 is not payable till the first of March, 1881. In the first call of bonds for redemption, there were embraced 22 bonds which belonged to the Seminary fund. It was not intended by the commissioners to redeem any bonds held in trust by the State for any of its funds. This error was not discovered till it was too late to redeem it, except in the call for bonds for redemption on the 31st of December last. The Fund Commissioners, therefore, on the 10th of December last, called in for redeption \$167,090 of the bonds of the State, and gave notice that the interest thereon would cease on the after the 31st day of last December. \$22,000 of the money necessary for that purpose was on deposit with the National Bank of Commerce of New York City, and on the day the call was made the residue of the money was ordered to be remitted by the Bank of Commerce of St. Louis. Thus, while none of the bonded indebtedness of the State was paid in 1879, for the reasons given, yet in the year 1880, double the amount of bonded indebtedness required to be paid in 1880, was redeemed in that year. In the four years last past, there has been paid out of the Sinking fund, \$1,035,000 of the indebtedness of the State—a reduction annually of more than \$60,000 of interest, leaving that much more of the Interest fund applicable to the payment of the bonded indebtedness of the State.

The following table shows the receipts, including the balance on hand on the 1st of January, 1879, and the disbursements of the Interest fund for the last two years, showing a balance of \$73,629.77 :

State Interest Fund.	Dr.	Cr.
By balance January 1, 1879.....		\$156,039 79
By receipts in 1879.....		1,240,284 84
By receipts in 1880.....		1,188,755 87
To warrants issued in 1879....	\$963,382 00	.
To transfer to school moneys in 1879, to pay interest on \$900,000 school certificate.....	54,000 00	
To transfer to sinking fund in 1879.....	1,000 00	
To warrants issued in 1880.....	940,118 78	
To transfer to school moneys in 1880.....	54,000 00	
To transfer to sinking fund in 1880.....	499,000 00	
To balance.....	73,629 77	
Totals.....	\$2,585,080 50	\$2,585,080 50

The State holds in trust for the Seminary fund \$122,000, and for the School fund \$1,958,000, making the sum of \$2,080,000, all of which said bonds are 5-20, and may now be redeemed, as five years have elapsed since their issue. The educational funds of the State are principally invested in 5-20 bonds. I cannot recommend any course by which those funds shall be impaired or their revenues be diminished. To reduce the rate of interest or to reinvest (which can only be done by paying a premium,) the amount in any bonds of this State, will seriously impair the revenue of those funds, and I will not believe, till I shall hear it so avowed, that any one considerably desires to impair the school funds or to diminish their income. Of the State bonds proper, outstanding, there are \$137,000 which may be redeemed at this time, as the Legislature provided for their redemption after the expiration of twenty years. Until a recent examination, it was believed they were not redeemable till 1883, and were so reported; the residue of that series of bonds are redeemable in 1882 and 1883. And there are \$4,000 of bonds of the North Missouri Railroad which will fall due in 1885. No bonds will fall due in this year, and whatever bonds may be redeemed must be called from the "option" bonds.

INDEBTEDNESS OF THE STATE.

Not including the \$3,000,000 of bonds of the State loaned to the Hannibal and St. Joseph Railroad Company, on which that company has promptly paid the interest, the bonded indebtedness of the State

on the 1st of January of this year was \$16,259,000. This amount does not include a few bonds which are past due and have been outstanding for several years. Money was placed in New York for the redemption of those bonds, at the time they severally fell due, and from the date the money was so placed by the Fund Commissioners, they have been regarded as paid. The State holds in trust for the Public School fund and for the Seminary fund \$3,031,000, which bonds have been defaced so as to destroy their negotiability, in accordance with a law of the last Legislature. This leaves in circulation only \$13,228,000 of State bonds, and the annual interest is only \$975,540. This does not include the temporary loan of \$250,000 which will fall due next June.

THE MASTIN DEFICIT.

The State Treasurer, in January, 1879, reported a balance of the money in the Treasury was "deposited and held" as follows:

National Bank of State	\$3,045 25
The Mastin Bank	286,187 80
Reid and Chrisman	5,000 00
Clinton county bonds in vault	49,000 00

The deposits and investments of the moneys herein stated were made without the consent of the Attorney-General and the Governor, and whatever security the Treasurer may have had was not submitted to the Attorney-General nor to the Governor, to learn whether or not it was satisfactory. In brief, the deposits of said moneys were made entirely on the responsibility of the Treasurer, and without the advice or consent of any State officer empowered to pass on that question. In the month of May, 1879, there was paid to Col. Gates \$5,321.59, on account of a dividend due to him from the Mastin Bank. In October, 1879, the sum of \$5,000, deposited with Reid and Chrisman, and the \$49,000 of Clinton county bonds, disappear from the Treasurer's statement. If those bonds belonged to the State, then the money received on the two semi annual coupons of each bond, should have been paid into the Treasury. In December, 1879, the Mastin Bank deficit is diminished \$37,634.01, and in the Treasurer's annual report, made to me in January, 1880, for the year 1879, it is stated he has realized the last named sum from his official bondsmen, for which he has "assigned to them a like amount of my (his) claim against the Mastin Bank." Another reduction of the Mastin Bank deficit took place in June, 1880, of \$20,000, said to have been received from one of the sureties upon the bond given by the Mastin Bank to Col. Gates for the safe keeping and return of his deposits, and paid in consideration that this bonds-

man shall be held to no further liability on that account. In the month of July last, the further sum of \$43,709.55 was deducted from said deficit, which was received from the assignee of said bank as a dividend on a claim allowed in favor of Col. Gates against it. From time to time, the amount of money deposited with the National Bank of the State of Missouri was diminished, until in September last, it entirely disappeared from the Treasurer's report. There is now the sum of \$183,522.65, as claimed by Col. Gates, held by the Mastin Bank. Promises have been made to me that this sum should be paid before the meeting of the Legislature, but those promises have not yet been redeemed. No settlement was approved by the Legislature of the Treasurer for the first two years of his term of office, nor was a settlement of his accounts made at the time of giving his new bond. The laws did not permit nor authorize a suit to be brought against Col. Gates and his bondsmen; and the first time a suit can be brought on his official bond will be when he shall fail to deliver to his successor the funds which have been entrusted to his care and safe keeping. If there shall be no deficit—if all the money with which he stands charged shall be legally accounted for or paid to his successor—then no suit can be maintained. But if, on the contrary, he does not lawfully account for all the money which came to his hands, and pay to his successor the balance, (if any there shall be), he and his bondsmen will be liable on his bond for the deficiency. But it is claimed the State has priority of payment over all other creditors in cases of insolvency, and that this principle of law is applicable to the case of the Mastin Bank. That the State, by express statutory enactment, has priority of payment over all demands—except funeral expenses and expenses of last sickness in case of the estates of deceased persons—and also priority of payment of taxes assessed on real estate, is true. But does this priority of payment extend to any other cases? Good reasons exist to cause such a statutory provision to be made, but the enactment of a law of that import cannot have a retroactive effect. If the State can assert and maintain priority of payment in the case of the Gates deposit in the Mastin Bank, and cause all persons to whom the assignee in good faith has paid the dividends in the same manner as they have been paid to Col. Gates, then must all who have received dividends from the assignee of said bank be called upon and made to refund the payments already made to them, or sufficient to pay the deficit. And if priority of payment to the State exists in this case, and can be enforced, then the sureties of Col. Gates, who have already paid more than \$30,000 for him, can assert this principle for their benefit. And if the sureties of Col. Gates shall now pay into the Treasury the \$183,522.65, now held by the Mastin Bank, those

sureties would, by existing laws, be subrogated to all the rights of the State.

REVENUE BONDS.

In 1877 I found the Treasury in a depleted condition. Certificates of indebtedness had been issued, liabilities had been incurred, and demands filed with the Auditor for settlement in the year 1876, amounting to more than \$266,000, as stated in my special message to the Legislature, in March, 1877. The revenues of the State at that time were insufficient to meet the exigency. I recommended a temporary loan to be made to supply this casual deficiency, (and would have recommended a larger sum, but the Constitution forbade), in accordance with the provisions of the second clause of section 44 of article 4 of the Constitution. The authority was given, and the loan was made. The revenues of the State were inadequate to defray the current expenses of the State government, the other expenditures charged to the revenue fund, and also to redeem those bonds. Hence authority was given, by the Legislature of 1879, to redeem the revenue bonds by negotiating another 6 per cent. loan, payable in two years. Proposals were invited in the manner provided by law, and the loan was awarded to the highest and best bidder at a premium of 2½ per cent., amounting to \$6,875.

RATE OF INTEREST.

I recommended to the last Legislature a reduction in the rate of interest. The proposition at first was received with favor, but afterwards alarm was created in the minds of some, lest capital from other States should be withdrawn. But during that winter the Legislatures of the States of Illinois and New York considered the question—the first named State reducing its legal rate of interest to 6 per cent., and by contract 8 per cent. per annum, while the State of New York reduced its rate of interest from 7 to 6 per cent. per annum. The same reasons which influenced me then to make that recommendation, causes me again to recommend a reduction of the rate of interest to 6 per cent. per annum, with suitable provisions to cause the law to be respected and observed. It has been recently urged, in order to induce capitalists of this State to invest in the bonds of the State, that the capital so invested shall be exempted from taxation. There is no good reason presented to my mind why we shall amend the Constitution of the State and exempt any property from taxation. Why should the money of the capitalist be exempt from taxation because

he invests it in the bonds of this State, or in the cities and counties of this State? By many political economists it is considered the taxes levied on property are for the purpose of defraying the expenses of its protection, and that property of all descriptions should be taxed in order to defray the expenses of the Government in making laws for its protection, and the costs and expense of enforcing those laws. We can borrow money at as low a rate of interest as 4 per cent. per annum, but our necessities are not such, at this time, as to require the postponement of the day of the payment of our indebtedness, in consideration of a reduced rate of interest. Instead of inviting the capitalists of this State to invest their money in State or municipal bonds, I prefer to see it invested in the development of our mines, the building of railroads and the establishment of manufactories. Millions of dollars worth of cotton are transported through this State—some raised in it—and a few hundred bales only manufactured here. We continue to import to this State iron and steel, and yet the raw material from which it is produced is abundant. Sheep-husbandry is one of our great sources of industry, yet but few woollen goods are manufactured by us. We send the hides of our beeves away to be manufactured, and they are returned to us in boots and shoes. Instead of encouraging all those who have capital to be money-lenders, why not, (if encouragement is to be given to any) encourage investment in mining, manufactures and in commerce?

EDUCATION.

The number of students at the State University, the School of Mines and the Lincoln Institute, on the first of November last, is in excess of the number in any previous year attending those institutions at the same date. The number of students at the State University, in all its departments, is now 500. This number of students is a sure test of the correct discipline maintained, and the meritorious standard of education adopted at the University, and is a testimonial to the good character of the president and the other members of the faculty as educators and instructors of the youth entrusted to their care. At the Normal Schools fewer students are in attendance than in former years. This, perhaps, may be attributed to the fact that those to whom has been entrusted the management of the Normal Schools have been more strict in requiring the student to obligate himself to follow the profession of teaching in this State, after he shall have graduated. This requirement is in accord with the basis upon which the Normal Schools were established, and should be exacted of the students by those schools. The School of Mines and Metallurgy, at Rolla, is in a

prosperous condition. The frequent discovery of mines of the precious metals in the Territories, and the demand in this State for mining engineers, have no doubt caused an increase of students to qualify themselves to follow the profession of mining engineer and geologist. For the first time in its history, the Lincoln Institute has an entire corps of colored teachers. Prof. Page and his assistant teachers have thus far given general satisfaction to the trustees, and the patrons of the Institute. The Lincoln Institute was organized in 1870, and was established by the money previously subscribed for that purpose by colored soldiers, aided by a few philanthropists. After slavery was abolished, and the negro was made a citizen and entitled to all the legal rights to which other citizens were entitled, it was deemed desirable to educate some of their class to be teachers in the public schools of this State, so that the colored children should have the same legal right to the public money, and to obtain an education, which the white children in the State possessed. Provision was made for separate schools, and in many of the villages and towns of the State schools for colored children are regularly taught and are well patronized and maintained. The Lincoln Institute, however, has struggled for an existence. The youth who resorted to it to obtain an education had a rugged pathway to travel to support themselves and to devote their time to study, instead of labor. The Legislature did assist the Institute, but the building did not belong to the State. A debt had been incurred by the trustees, which embarrassed the operations of the school. The last Legislature of 1879 appropriated \$15,000 for the support of the Institute, provided \$5,000 should be applied to the payment of its indebtedness. This appropriation was contained in the general appropriation bill, and was a grant to a corporation managing a charity. The Constitution provides: "The General Assembly shall have no power to make any grant * * * of public money or thing of value to any individual, association of individuals, municipal or other corporation whatever. The grant of money to the Lincoln Institute was in violation of the part of the Constitution just quoted, and as matters then stood, could not receive my approval. I was ex officio a member of the board of trustees. The trustees were assembled, and with no dissenting voice, it was resolved the buildings of the Lincoln Institute and its school apparatus and furniture should be conveyed to the State. The deed was made, executed, acknowledged and recorded, and the appropriation bill was then approved. It is too soon now to be done, but the Lincoln Institute will, if properly cared for, occupy the same position to the colored people of the State which the State University holds to the white people of the State. It was a wise act to place the Lincoln Institute under the control of the State

government, where it can be cared for and protected in the same manner as other State institutions are protected and maintained.

I requested the Superintendent of Public Schools to ascertain the number of students, on the first day of November in each year, for the last six years, in all the institutions of learning and education throughout the State, except the public district schools and private schools of like grade. It has been stated that the people of the West, if they emigrated from the Southern States, are not disposed to aid, encourage and foster institutions of learning. This opinion has probably been based upon criticisms expressed concerning the management of our public schools, and some are found condemning the system, who only wish to censure the mode of management. We find in many portions of the State large and ornately built public school houses—some of them three stories in height—and when the children of the school district are assembled, there is not a sufficient number of them to fill the rooms on the ground floor. And if this were all, it would be tolerable. But these school houses were built with money raised by the sale of bonds issued by the district, and the school taxes for interest and other proper purposes, become so enormous that the people cannot pay them—much less the principal—and many join in a pardonable complaint against the system, when the censure is really intended to be hurled against the extravagance and recklessness of expenditure sometimes practiced in the name of the public schools. The people of the West and South are thoroughly imbued with the necessities of a free public education, and have demonstrated their perfect willingness to support and encourage such a system. So far as this State is concerned, its aid and encouragement of public schools will favorably compare with any other State in the Union.

A statement of facts furnished by the reports made to that able and efficient officer, Hon. R. D. Shannon, Superintendent of Public Schools, will substantiate the statement made by me. There are three descriptions of school funds—the State School fund, the County School fund and the Congressional Township School fund. In 1874 the State School fund was \$2,624,354. In 1875 that fund was increased about \$286,000, and the increase was principally from the conversion of 5-20 United States bonds, held by the State, into bonds of this State. The State School fund now amounts to the sum of \$2,909,792. The county and township school funds aggregated, in 1874, the sum of \$3,037,440, but many counties that year failed to make a report of those funds. The County and Township School funds, and some special school funds held by counties and the City of St. Louis, this year amount to \$5,867,359, and the total funds in this State for educational purposes, on the first of January last, was \$8,950,805, and of this sum \$3,031,000 are

bonds and certificates of indebtedness of this State, upon which interest at the rate of six per cent. per annum is regularly paid. School moneys are now apportioned according to the number of children between the ages of 6 and 20 years—formerly between 5 and 21 years. The apportionment is made on the enumeration of the preceding year; thus, the apportionment of money for 1881 will be made on the enumeration of 1880. I give the enumeration and apportionment for a few years:

Years.	Number of Children.	Apportionment.
1177.....	676, 158.....	\$539, 760
1878.....	688, 248.....	537, 806
1879.....	702, 158.....	502, 795
1880.....	723, 484.....	515, 286

A fluctuation of the receipts of the Revenue fund will cause a variation in the amount to be apportioned. The moneys apportioned are derived from interest on the indebtedness of the State to the Public School fund, and 25 per cent. of the taxes received annually by the Revenue fund. And it appears there was paid to teachers of the public schools during the last two years, the following sums: In 1879, \$2,211,926; in 1880, \$2,218,637.

The result of the inquiries made by the Superintendent of Public Schools shows the number of students in the various seminaries of learning in this State—excluding the district schools and private schools of that grade—as follows, in the years named:

1875.....	6,993
1876.....	7,785
1877.....	7,985
1878.....	8,097
1879.....	8,667
1880.....	9,395

This table demonstrates that all the institutions of learning, of a higher grade, in this State, are well patronized, and that the people are duly impressed with the great importance of giving to their children a good and thorough education.

THE STATE CENSUS.

Congress has provided that if any State or Territory, by its duly appointed or authorized agents, during the two months beginning on the first Monday of June, in the semi-decennial years, shall take and complete a census, in all respects according to the schedules and forms

of enumeration prescribed for the census of the United States, and shall deposit with the Secretary of the Interior on or before the first of September following, a full and authentic copy of all the schedules returned and reports made by the persons charged with such enumeration, the Government of the United States will pay to such State or Territory a sum equal to 50 per cent. of the amount which was paid by the United States to all supervisors and actual enumerators at the last preceding census, increased by one-half the percentage of gain in population in such State or territory between the United States censuses next preceding. But the blank schedules to be used for this purpose shall be similar in all respects to those used by the United States. The law of this State provides a census shall be taken by the assessors of the counties, and of the city of St. Louis, in 1886, and every tenth year thereafter, but not in so comprehensive a manner as required by the laws of the United States. An enumeration of the people of this State was taken every fourth year, pursuant to the requirements of the Constitution of 1820, until 1848, and thereafter in pursuance of law until 1868. After the census of 1868, it was provided a State census should be taken in 1876 and every tenth year thereafter. I recommend the law providing for taking the State census be so changed that the census shall be taken in 1885 and every tenth year thereafter, and that the return of said census shall be made on schedules of the same description and in like manner as the returns of the tenth census of the United States were made by the supervisors and enumerators, and that the enumeration shall be made within the time named in the act of Congress to which I have referred, so that the State may receive the benefit of the provisions of said act. I invite your attention to this matter at this time so that if you shall concur in the views I have expressed, steps shall be taken forthwith to change the law. And if the change shall be made at this session of the Legislature, the law will be subject to the scrutiny and discussion of our constituents, and if defective in any particular, there will be ample time for its amendment. And if you shall make such change in our laws, it may be the means of inducing other States to provide for taking a census in 1885, so that there may be a complete enumeration of the people of the United States taken by State authority in that year. The census was taken, in 1876, of every county in the State except St. Louis. The amount paid to the assessors for their services in taking the census was \$54,113.06. The compensation which would have been paid to the assessor of St. Louis, if he had performed the duty, was so entirely inadequate to the services to be performed, that he positively refused to perform the duty. The cost of taking the tenth United States census of this State is \$98,770.79.

And this includes the cost of obtaining statistics concerning manufactures.

The population of this State by the census of 1880 is 2,169,091. By the census of 1870, the population was 1,721,295, showing an increase of 447,796 inhabitants in ten years, an increase of a little more than 26 per cent. in that time. The State census, exclusive of the city and county of St. Louis, showed a population in 1876 of 1,547,030, and of 1,370,106 in 1870, by the census of the United States, an increase of that portion of the State of 176,924 or 11 43-100 per cent. in six years—less than 2 per cent. per annum—and at the rate of 29,487 per year. The census of 1880 for the same portions of the State shows an increase of 239,651 inhabitants over the State census of 1876, an increase of nearly 15½ per cent. for that period of time, and not quite 4 per cent. per annum increase for the last four years, and at the rate of 59,912 inhabitants per year.

It will be the duty of this Legislature to divide the State into convenient districts for the election of Senators, as nearly equal in population as may be, as shown by the census recently taken by the United States, and also to apportion representation, in accordance with the provisions of our Constitution.

IMMIGRATION.

The people of this State—though conscious of its great natural advantages over other States in climate, soil, production, the richness and abundance of its mines and mineral products, its fertile prairie lands, interspersed with timber of an excellent quality, its timber, suitable not only for building but for manufacturing purposes, and its rivers and streams of water—have not sought till recently to make known these great advantages to the people of our sister States, or to the people of foreign lands. The last Legislature provided for the establishment of a Board of Immigration, but the amount of money placed at its disposal was so inadequate to the expectations formed, that the people themselves were forced to take hold of the question with vigor, and they stepped to the front to supply the means necessary to accomplish the objects desired. But in the meanwhile the State Board of Immigration had prepared and published a small pamphlet, giving a description of the State by counties, and an excellent map to accompany the same. The labors of the State Board of Immigration induced inquiry by the people of other States and of foreign lands, intending to seek a new home, concerning the advantages which this State possessed. In another portion of this paper I have shown that since September, 1876, to June, 1880, calling the

period of time four years, the population of this State naturally increased, and the increase by immigration was about 60,000 persons per year. The efforts of the Board of Immigration were ably supplemented by the voluntary association formed by the people of this State. Enterprising and wealthy gentlemen of St. Louis furnished the moneys required for this grand work. A convention of the able and energetic men of the State was held in St. Louis in April, 1880. The action of this convention did not aid to increase the population of this State embraced in the federal census, but its influence is now felt, and has been felt since last autumn, and will continue to be felt for a long time. That association has published a map and a handbook of Missouri. In the latter there is a brief description of the advantages each county in the State possesses, and with the additional statistics which it is hoped will be published in a second edition, the whole story of the wealth and resources of our State will be briefly narrated. I hope the Legislature will make a liberal appropriation to stimulate and encourage immigration to this State.

RAILROADS. .

The building of railroads is an indication of the wealth and prosperity of the people. While the people on the line of the projected roads may not have the money wherewith to construct and equip these great and costly conducts of commerce, yet they may have the wealth of products to be transported, which will insure to the capitalist building the road a fair income on his investment. Such has been the condition of the people of this State. We have not been able to furnish money to build railroads, but the products of our fertile soil, the wealth of our inexhaustible mines of coal, lead, zinc and iron, all promised a bountiful recompense to the capitalist who would provide means to transport to the consumer this great wealth, produced by the husbandman and miner. From the 1st of July, 1876, to the 31st of December last, 867 90-100 miles of railroad have been put in operation in this State. From July 1st, 1876, to July 1st, 1878, only 63 10-100 miles of railroad were put in operation, the depressed prices which then prevailed, materially paralyzing all branches of business, and financial embarrassment and distress was impending on all. From July 1st, 1878, to December 1st, 1879, a period of eighteen months, 411 50-100 miles of railroad were put in operation, and for the calendar year just closed, 390 30-100 miles of railroad were completed. And I am induced to believe the number of miles of railroad which will be put in operation, during this year will be no less than that of last year. For further information concerning the railroads of this State, and their management, you are respectfully referred to the report of the Board of Railroad Commissioners.

EXECUTION OF CRIMINAL LAWS.

The criminal laws are, as a general rule, faithfully executed throughout the State. The extraordinary delays which formerly occurred in bringing to trial persons charged with high criminal offenses have ceased to impede the arm of justice. But in the city of St. Louis great delays have occurred in many of the important criminal cases pending in the courts of that city. In some of those cases, by reason of "the law's delay," justice may be thwarted and the guilty escape the punishment due for their crimes. Criminals seldom lose anything by delay. The witnesses whose testimony is important and material to establish the guilt of the accused, may die, or they may remove beyond the jurisdiction of the court, or, wearied by frequent attendance on the court, merely to hear the cause is continued, they become disheartened and fail to attend. There was abundant testimony to establish the guilt of the accused at the date of finding the indictment, but for the reasons given, and for others which will suggest themselves, there is a lack of proof, and the defendant is finally discharged. The Criminal Court of St. Louis holds six terms of court each year, and there are now cases on the docket of that court which were first placed there three and four years ago. In other portions of the State the courts which have jurisdiction of criminal cases hold generally but two terms (in a few counties three terms) each year; and yet criminal business is conducted with far greater dispatch in those counties than in the city of St. Louis, with six terms of its criminal court each year. Frequently, in the most important criminal cases pending in the criminal courts outside of the city of St. Louis, a final judgment is rendered in from six to twelve months after the crime was committed. The special laws governing the administration of criminal justice in that city, in my opinion, require immediate revision. While one court, by its judgment, sentences a man to imprisonment in the work-house, another court in the same city has discharged him because he is illegally held in prison. It may be advisable to reorganize the criminal courts of that city, and to provide for an additional judge of the criminal court, to enable its business to be transacted with dispatch. As a general rule, crime in this State has diminished, and this, in part, is due to the prompt and speedy administration of the laws and the due execution of the sentences of the courts.

COSTS IN CRIMINAL CASES.

There was appropriated for the payment of costs in criminal cases, for the last two years, \$450,000. The last Legislature made some change in the laws regulating costs in criminal cases, which took effect in No-

vember, 1879. But the diminution of expenditures under this head is not to be entirely attributed to that legislation. Fewer crimes have been committed and the interminable delays which were incident to the administration of criminal laws, in a large portion of the State, have ceased to impede the demands of justice. The expenditures under this head, for the last six years, are as follows :

1875.....	\$244,773 70
1876	227,380 98
1877.....	239,321 65
1878	201,722 97
1879	208,836 20
1880.....	126,697 79

This table is based on the actual allowance by the Auditor of fee bills against the State, though the payment may have been made in the next year. If the laws shall be faithfully executed there is no reason for an increase of expenditures.

REVISION OF LAWS.

The last Legislature performed a very important and arduous labor. The laws of this State, contained in the last revision and also embraced in about a dozen volumes of acts of the Legislature, passed since that time, were revised and digested in a manner which reflects great credit on our Legislature and the individuals having charge of the work, and would reflect great credit upon any legislative body. It is not to be expected that such a labor is perfect. No very important amendments to the law suggest themselves to me. Perhaps, however, some errors may have been discovered which will require amendments; if so, you will take the necessary steps to remedy them. Frequent changes of the important laws of the State are not desirable, but bad laws should be forthwith changed or repealed. Where changes are numerous and frequent, it sometimes becomes difficult for the most skilled jurists to determine exactly what the law is. The Legislature has provided, in order to enable our laws to be perfected, that it is the duty of the judges of the Circuit Court, the Judge of the Court of Appeals and the Judges of the Supreme Court, to make note of and report to the General Assembly all such omissions, uncertainties and incongruities in the statutory laws of this State as may come to their attention and which may be remediable by legislation. From this source, if there be any glaring or great defect in our laws, you will, no doubt, be apprised thereof early in the session.

SUPREME COURT.

The Supreme Court is burdened with business and must have relief. It is very gravely questioned whether adequate relief can be given to the court without an amendment of the Constitution. One proposition looks to an increase, permanently, of the number of judges; the other, that those judges may be appointed for a limited time, and until the court shall catch up with its business, to be called commissioners, and if another like exigency shall occur, to again appoint three judges for a limited time. The last mentioned proposition has received the commendation of a convention of the members of the bar of this State. As this commission is to sit in conjunction with the Supreme Court, and to have transferred to it for adjudication such causes as the Supreme Court may deem proper, and as the object is to obtain the ablest jurist, I suggest that the Supreme Court shall nominate (and no nomination shall be valid unless made by four Judges of the Supreme Court) the persons to be members of the commission, to the Governor, and that he shall commission them. But it seems to me the same advantages can be obtained by the permanent addition to the Supreme Court of two additional judges; and by the time relief shall be given the business of the court will require the additional judges; that the Supreme Court shall, from time to time, be organized in two divisions, composed of three judges each, the Chief Justice to designate the members of said division, and in case of emergency, sickness or inability of any member to act, he shall assign himself to one of the divisions, so as to bear his due proportion of labor. The court shall sit in bank whenever the constitutionality of a law shall be drawn in question; and in other cases of great importance, which may be defined in the proposition, a full court shall be held. By this means there will be, as with the commission, two tribunals in session at the same place and the same time, each organized to properly discharge its duties. But, while I prefer this method, thus briefly and perhaps not distinctly described, the necessity for relief is so great if one measure cannot succeed, another should be adopted.

SETTLEMENT WITH AUDITOR AND TREASURER.

A committee was appointed by me, in 1878, in the manner required by law, to make settlement with the Auditor and Treasurer, and report the result of their examination to the Legislature for action. The committee performed its duty. Their report was made to the Legislature, but the Legislature failed to approve it, either in whole or in part, and utterly failed to take definite action upon it. Therefore, no

settlement has been made with the Auditor and Treasurer for the two years ending on the 31st of December, 1878. The committee appointed by me in December last to make settlement with the Auditor and Treasurer, can have no authority from me to make settlement for the years 1877-78. The law provides: "The inquiries of the committee shall be limited to the two years next preceding the meeting of the General Assembly." I recommend proper measures be taken to make settlement with the Auditor and Treasurer for the two years ending on 31st of December, 1878.

THE PENITENTIARY.

For years prior to the commencement of my term of service as Governor, the management and conduct of the Penitentiary had been attended with great expense, and largely in excess of its earnings. For a long time past, and at the present time, the salaries of the Warden, officers and guards have been and are paid from the appropriation for the pay of civil officers. The words "support and maintenance" of the Penitentiary, as used in the appropriation act, include all expenses at the prison, except salaries and cost of erecting new buildings, and other permanent improvements. In this prison some persons are confined who have been convicted in the United States courts. But of prisoners convicted in the courts of this State, there has been a gradual diminution. The following table shows the number of prisoners convicted in the courts of this State, and in United States courts, confined in the Penitentiary on the 31st day of December, for the years named:

Years.	State.	United States.	Total.
1874	1,018	56	1,069
1875	1,257	21	1,278
1876	1,333	14	1,346
1877	1,276	23	1,299
1878	1,244	50	1,294
1879	1,238	85	1,272
1880	1,188	30	1,218

The cost of maintaining the prison for the several years herein named, ending on the 31st of December in each year, is as follows:

1872.....	\$150,033 18
1873.....	155,105 61
1874.....	In charge of Lessees.
1875.....	104,625 90
1876.....	126,199 62
1877.....	96,010 01
1878.....	51,951 53

The exhibit for the two years, 1877-78, is not as favorable as it ought to be. A large amount of labor was bestowed on the courthouse for the Supreme Court, and other labor for the State, for which no compensation was allowed. The earnings of the prisoners were expended for their support and maintenance during all the years above named. The proceeds of prison labor are as follows for the years mentioned :

1876.....	\$31,222 90
1877.....	71,871 41
1878.....	92,279 98

A portion of the earnings for the years 1877-78, were expended in buying horses, mules, and implements of industry, and other materials for the use of the prison. The business of the Penitentiary for the last two years shows an excess of earnings over the cost of maintenance, of \$32,901.90. During that time the earnings were :

1879.....	\$108,160 28
1880.....	103,456 75
Total.....	\$221,617 03

The cost of maintaining the Penitentiary was as follows :

1879.....	\$89,315 86
1880.....	89,399 27
Total.....	\$178,715 13

Of this balance of \$32,901.90, \$20,000.00 has been paid into the Treasury, \$1,578.46 is in the hands of the Warden, and \$11,323.44 is in material bought by the Warden for the use of the prison, and now on hand. In addition thereto, there is a larger amount of property and material on hand at this time than there was two years ago, which has been purchased from the earnings of the prison. Much labor has been performed for the State in preparing the site and erecting a workshop thereon, and in the manufacture of brick, of which there is a large amount on hand. From the results produced in the last four years, I have no doubt the able Warden and his faithful assistants can make the prison self-sustaining, including the salaries to be paid the Warden, the officers and guards.

SCHOOL OF MINES.

In January, 1875, the Board of Curators of the State University, not satisfied with the site previously selected for the School of Mines and Metallurgy, bargained with the Board of Education, at Rolla, for their school building and the tract of land on which it was situated.

Prior to that date, the School of Mines had been located at Rolla, but to obtain such location the county of Phelps, amongst other things, had subscribed \$75,000 in county bonds for the benefit of said school. The county loaned its credit in flagrant violation of the Constitution of the State. That instrument provided no county should lend its credit unless two-third of the qualified voters of such county, at a regular or special election, shall assent thereto. The judges of the county court of that county made the subscription without having the assent of the qualified voters of the county, and the Supreme Court, in 1874, held the bonds issued by said county were void. The school building was bought at the price of \$25,000, \$5,000 of which was paid at or about the time of the bargain, and a credit was given the State for the residue of the purchase money. The Board of Education of the city of Rolla made its deed to the State for the public school building and the land connected therewith. The Curators of the State University executed a deed to a trustee for the lands sold to the State by the Board of Education, to secure the payment of five several promissory notes, each for the sum of \$4,000, given to the said Board of Education, by the Curators, in their official capacity, payable respectively on the 27th days of January, 1876, 1877, 1878, 1879 and 1880, with interest thereon, at the rate of six per cent. per annum. This deed purported to confer on the trustee, in default of the payment of the said several promissory notes, or any of them, authority to sell said real estate at public vendue, at the court house door, in the city of Rolla, for cash, by giving sixty days public notice of the time and place of said sale, and to convey to the purchaser thereof the title to said property. In 1872 the Legislature directed there should be issued and delivered to the treasurer of the School of Mines and Metallurgy at Rolla, by the Governor, 35 State bonds, each for \$1,000, with interest coupons at the rate of 6 per cent. per annum, payable semi-annually, and having 20 years to run. Those bonds were delivered to the treasurer of the School of Mines. The proceeds of said bonds were directed to be applied toward the erection and equipment of a suitable building for the School of Mines and Metallurgy, under the direction of the Board of Curators. It appears that prior to the execution of the deeds herein named, a contract in writing was made by committees representing the said Board of Education and the Board of Curators of the University. That contract was ratified and approved by the respective boards, and in pursuance thereof the deeds were made and executed. In the contract thus approved, it was stipulated the Board of Curators might take up the notes, agreed to be given by the curators, at any time before the maturity thereof, on the payment of the principal and interest due, either in cash or in the bonds of the Board

of Education of the city of Rolla, at their par value, or in both cash and bonds. The Board of Education has issued \$35,000 in bonds, with the proceeds of which the school building, sold as stated, was erected. Some payments have been made by the curators on the notes given by them to the Board of Education, but I am unable to state the precise amounts or dates of payments; and none of the notes or bonds given by the Board of Education have been paid by the curators. The deed of trust of the curators conveys no title, as that board of officers had no authority to make such a conveyance; no authority to mortgage or encumber the building which had been conveyed to the State. It is alleged the curators have expended all the money arising from the sale of said bonds, and the interest which accrued before sale, (no inconsiderable sum) towards the erection and equipment of a suitable building for said School of Mines, and have not yet paid for the building. The Board of Education of Rolla desire to receive the money promised to be paid them for their school building. Conceding the proceeds of the State bonds have in part been misapplied, the State has no adequate remedy. Under these circumstances, I advise the amount due to the Board of Education of Rolla be ascertained, appropriated and paid to the proper party, and the notes be canceled and filed in the office of the State Auditor.

REPAIRS OF CAPITOL.

The last Legislature appropriated the sum of \$12,000 for repairs of the State Capitol. This money has been expended in making new ceilings for one hall and repairing the ceiling of the other, repairing the roof, the walls and the rooms in the basement, and giving to the building suitable and proper drainage, repairing the porch, the steps to the same, and the walk thereto. In addition to this, new window sash and glass have replaced the old, and much labor has been bestowed on the cupola. In my opinion this work has been judiciously and economically performed by Mr. Fred. Binder, who was appointed by those having charge of the expenditure of the money to superintend the work. Several rooms in the basement have been repaired in such manner that there is a stratum of air between the walls and the plastering. This prevents moisture from accumulating and standing upon the walls, as it does in other rooms of the building, where the plastering has been placed directly upon the walls. These rooms are dry, healthy and easy of access, and will make convenient committee rooms for the Legislature, and if they shall be used as such, the contingent expenses of the Legislature will be thereby reduced.

WAR CLAIMS.

The United States reimbursed this State for expenses it had incurred and paid in the suppression of the rebellion, to the 17th day of April, 1866. But at that date there were laws authorizing further payments to those who performed military services during the war; and to enable the State government to discharge its liability to them, and for supplies, etc., furnished, money was appropriated and paid by the State. The State, after the date mentioned, did pay to its militia the sum of \$319,876.11 for services rendered in suppressing the rebellion, as appears by the vouchers in the office of the State Auditor. An act of Congress was approved in January, 1879, directing the Secretary of the Treasury to investigate, consider and examine the evidence, vouchers and records relating to said payments, on file in his department and which might be filed by the State, and to report to Congress the amounts which shall appear to be justly due this State. I directed Adjutant-General Mitchell to examine the records of his own office, and, with the State Auditor and Treasurer, the records of their respective offices, and have copies of all vouchers he deemed necessary to support our claim, prepared and duly certified, to be used in support of the demand of the State, and to proceed with them to Washington and endeavor to have a hearing and settlement of this claim. The Auditor entrusted to him the original vouchers in his office, to be carried to Washington in order that the accounting officers of the Treasury might examine and compare them with the certified copies, if it should be desired. The department claimed the original vouchers ought to be filed in support of the claim, but Gen. Mitchell was instructed to refuse a compliance with this request, for the reason the original papers entrusted to him were records of the public offices of this State, and whilst the custodian of them might produce them for examination, he had no authority to so place them that their possession could not be regained at any moment by the proper officer. Those papers are a part of the public records, and can only be withdrawn from their custodian by law. Gen. Mitchell discharged his duty in this regard as far as it could be performed, and on his return he made a report to me of his action in the premises. To avoid any further delay in the adjustment of our claim, I advise provision be made to deliver the original vouchers to the Treasury department, provided the certified copies of them be returned to replace the originals.

MILITIA.

There are now 35 companies of militia duly organized and properly armed. Of these, 3 companies of infantry are of Colored persons—2 in

St. Louis and one in Kansas City. There is one company of cavalry and one battery, both in the City of St. Louis. The remaining 30 companies of infantry are organized in different portions of the State. All the troops are well-drilled, and in a good state of discipline, and will compare favorably with the militia of any other State. I had hoped to be able to inform you that the Police Reserves had entered the militia service and been duly organized as a part of that force. The Police Reserves occupy an anomalous position. Organized as a military force, and armed by the State, no one holds a commission as an officer thereof, and no officer of that force—whatever his rank—can command the lowest officer or any member of the militia. The zeal and public spirit manifested by the officers and men of the militia is highly commendable, and entitles them and their requests to a partial hearing by you. Two battalions are organized in the City of St. Louis and two in the City of St. Joseph, and the total of the rank and file numbers 1,930 men.

FISH CULTURE.

Provision was made in 1877 for the establishment of a commission whose duty it was to act in conjunction with the commissioner of the United States in stocking the waters of this State with such fish as they may consider best adapted to furnish cheap and nutritious food. A small sum of money was appropriated for this purpose. The last Legislature provided for three commissioners to discharge this duty. All the commissioners serve without compensation, and they were authorized to buy or lease a suitable location and erect a hatching house thereon. Three thousand dollars per annum were appropriated for this purpose, and to defray other expenses to be incurred by the commissioners in the discharge of their duties. In my opinion, the money has been judiciously expended. A hatchery has been established and properly prepared, from which fish will be taken and placed in the streams of water in this State. A report from the commissioners, it is expected, will soon be placed before you.

LUNATIC ASYLUM AT ST. JOSEPH.

During the session of the last Legislature, the Lunatic Asylum at St. Joseph was destroyed by fire. Temporary provision was made for the support of the patients, and the county of Buchanan, with commendable generosity, set apart a portion of its large and commodious court house to be occupied by the patients. The building thus destroyed, with its site, furniture and equipment, had cost the State more than \$300,000. The sum of \$75,000 only was appropriated by the Legislature for re-building the Asylum on the site of the one destroyed, and

for re-furnishing it. The damaged material from the burned building, which could be used, was used in the re-building, and the residue was disposed of, realizing about \$2,000 from the sale. The law required me to appoint three commissioners to carry its provisions into effect. I appointed Dr. Geo. C. Oatlett and Messrs. A. Kirkpatrick and A. C. Dawes, as such commissioners, whose services were rendered without compensation, and their duties were faithfully and efficiently performed. Their estimates of the work and payment therefor were submitted to me and received my approval. There are rooms in the fourth story of the building not yet completed. The former building was intended to accommodate only two hundred patients, while the new Asylum will accommodate three hundred patients. One of the commissioners makes the following brief statement: "This building is greatly superior to the former one in affording one-third more accommodation as well as a more comfortable home for the insane. It is well protected against the dangers of fire, and has ample ways of ingress and egress. The improved reconstruction has greatly diminished the difficulties of management."

NATIONAL BANK OF COMMERCE.

When I entered on the discharge of my official duties, I found the National Bank of Commerce, in the City of New York, had been previously selected and then was the agent of the State for the payment of the interest on the bonded debt of the State, payable in said city. The compensation formerly paid to this bank for the redemption of the interest coupons was one-fourth of one per cent. By an act of the Legislature approved March 10, 1872, it was provided the commission to be allowed for these services should not exceed one-tenth of one per cent. From the date aforesaid to the present time, that bank has paid the interest coupons, payable in New York, and redeemed bonds of this State as they have been called in, with the money of the State deposited with it for that purpose. For several years past, money has not been appropriated to pay said bank for its services, and its account against the State since 1872 remains unadjusted and unpaid. I recommend provision be made to pay the bank for the services it has rendered the State. The last Legislature was informed of the condition of this demand, by the Fund Commissioner, but failed to make any provision for its payment.

BOARD OF HEALTH.

The government of the United States has established a National Board of Health, and some of the States have established Boards of

Health to co-operate with it. The object of such organizations is to obtain the active co-operation of the medical profession in making sanitary investigations and inquiries respecting the causes of disease, and especially epidemics, the causes of mortality, and the influences of locality, employment, habits and other circumstances and conditions, upon the health of the people. No member of the State Board of Health should receive compensation from the State for his services, except the secretary, who should receive a reasonable salary, and a small additional sum will be required for stationery, printing, etc. I hope such an organization will be authorized, and the proper sum appropriated for its support.

CONCLUSION.

And now, as I am about to return to private life, I can say that during my official career, in whatever position I may have served, I have endeavored faithfully to discharge the duties which devolved on me, and have sought to promote the prosperity and welfare of the people of this great commonwealth. My administration of the laws of this State is a part of its history. It is spread out before the people for their observation, and to their judgment I cheerfully submit the record I have made.

JOHN S. PHELPS,

EXECUTIVE OFFICE, JEFFERSON CITY, Mo., January 6, 1881.

Senator Heaston offered the following resolution, which was read and adopted :

Resolved, That the message of His Excellency, John S. Phelps, be laid upon the table, and that five thousand (5,000) copies thereof be printed, one thousand of which shall be in the German language, five hundred to be for the use of the Governor, and the remainder for the use of the Senate.

Senator Morrisson offered the following resolutions, which were read first and second times and adopted.

MR. PRESIDENT: The sad and impressive duty devolves upon me this morning to announce the death of Hon. John B. Duchouquette, late a member of this body, who departed this life since the close of our last convocation.

Senator Duchouquette was born at Mine LaMotte, Madison county, this State, on September 15, 1845. By profession he was a lawyer; was prosecuting attorney in his circuit; was elected a member of the 27th General Assembly, served in that body with credit to himself and profit to his constituency; was elected a member of the Senate of the

30th General Assembly, was appointed to the chairmanship of the Committee on Swamp Lands, but owing to enfeebled health, was unable to remain long at the Capital, but returned home, where, notwithstanding all the care and attention, the most devoted affection a true and loving wife could bestow and the best medical skill could afford, he soon after departed this life, leaving sad but pleasant memories behind.

And now, Mr. President, in obedience to a time-honored custom, and to pay a last sad tribute to the memory of one whose virtues commend him to our highest praise, and with whom we have been associated on this floor, I offer the following resolutions for the consideration of the Senate :

Resolved, That in the death of Hon. J. B. Duchouquette, late a member of this body, the Senate has lost an active and efficient member, his constituents a true and faithful servant, the State an honest and conscientious legislator, his associates a prudent counsellor and able coadjutor, and his family an affectionate husband, a kind father and an honorable guide. To the decrees of a Divine Providence we most humbly bow, fully recognizing that what's our loss, is our friend's gain ; and to the widow and orphaned children of our deceased brother and friend, we offer our sincere condolence, bidding them in this, their hour of affliction, to rely upon Him who tempers the blasts to the shorn lamb.

Resolved, As a further mark of respect to our deceased associate and friend, that each Senator wear the usual badge of mourning for thirty days.

Resolved, That a copy of these resolutions be signed by the President and Secretary of the Senate, and forwarded to the widow of the deceased ; and out of respect to the memory of the deceased, the Senate do now adjourn.

Adjourned until Saturday morning at 10 o'clock.

THIRD DAY—SATURDAY, January 8.

The Senate met pursuant to adjournment.

The President in the chair.

Prayer by the Chaplain, Rev. Dr. Masker.

A quorum present.

The journal of Thursday was read and approved.

The following messages were received from His Excellency, the Governor, through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE, }
JEFFERSON CITY, Mo., January 8, 1881. }

SIR: I have the honor to transmit herewith to the General Assembly the Biennial Report of Hon. James E. McHenry, Register of Lands, showing the transactions of his office during the years 1879 and 1880.

Very respectfully,

JOHN S. PHELPS.

HON. H. C. BROCKMEYER, President of Senate.

EXECUTIVE OFFICE, }
JEFFERSON CITY, Mo., January 8, 1881. }

SIR: I have the honor to submit herewith the report of the Commissioners who were appointed by me to superintend the rebuilding and refurnishing the Lunatic Asylum at St. Joseph, accompanied by a report of S. V. Shipman, the architect. The Commissioners recommend the farther appropriation of \$5,000 for completing and fitting some rooms in the fourth story of said building. The sum named, I think, is reasonable and proper.

The Commissioners have also filed in the Executive office, in compliance with said act, the books of accounts, showing the receipts and disbursements on account of said building, with vouchers therefor, bids, contracts and bonds for the performance of the contracts, which are subject to the inspection and orders of the Legislature.

Very respectfully,

JOHN S. PHELPS.

HON. H. C. BROCKMEYER, President of Senate.

Which messages were read and the reports were laid over for future consideration.

Senator Lloyd submitted the following report from the Special Committee on elections :

MR. PRESIDENT: Your Committee on Elections, to whom were referred the credentials of Elisha M. Edwards, claiming to be the Senator elect for the Seventeenth Senatorial District of Missouri, beg leave to report that they have considered the same, and find,

1st. That the said certificate shows that said Edwards received the highest number of votes of any candidate for the office of State Senator for said district, at the general election, November 2, 1880.

2d. That it does not appear from said certificate that said Edwards paid a State and county tax within one year next preceding his election, as is required by the Constitution and laws of the State of Missouri.

3d. That said Edwards did in fact pay a State and county tax within one year next preceding his election, as appears from the receipt of the tax collector of Lafayette county, Missouri, hereunto attached and marked exhibit "A."

4th. That said Edwards has produced and submitted to your committee supplemental certificates of his election from the county clerk of Lafayette county, Missouri, dated January 5th and 6th, respectively, hereunto attached and marked exhibits "B" and "C," respectively, which last named certificates conform to the requirements of the law.

Your committee therefore recommend that said Elisha M. Edwards be permitted to qualify and take his seat as Senator for said 17th Senatorial District of Missouri.

Which report was read and adopted.

The Hon. E. M. Edwards, Senator elect from the 17th Senatorial District, came forward, took and subscribed the oath of office and took his seat as a Senator.

Senator Lloyd submitted the following report from the special Committee on Elections, which report was read and adopted, and Hon. Owen T. Rouse, Senator elect from the Seventh Senatorial District, came forward, took and subscribed the oath of office, and took his seat as a Senator :

MR. PRESIDENT: Your Committee on Elections, to whom was referred the certificate of election of Owen T. Rouse, claiming to be the Senator elect for the Seventh Senatorial District of Missouri, beg leave to report that they have considered the same and find :

1st. That said certificate shows that said Rouse received the highest number of legal votes of any candidate for the office of State Senator for said district.

2d. That it does not appear from said certificate that said Rouse paid a State and county tax within one year next preceding his election, as is required by the Constitution and laws of the State.

3d. That said Rouse did, in fact, pay a State and county tax within one year next preceding his election, as appears from the receipt of the tax collector of Randolph county, Mo., exhibited to your committee and returned herewith, attached to said certificate of election.

Your committee therefore recommend that said Owen T. Rouse be permitted to qualify and take his seat as Senator for said Seventh Senatorial District.

Senator Lloyd, from the special Committee on Elections, to whom was referred the credentials of Messrs. Allen and Manistre, verbally reported that the committee desired further time to consider said credentials and allow said gentlemen to appear before the committee; which was granted by the Senate.

Senator Edwards of St. Charles introduced Senate bill No. 2, entitled "An act in relation to benevolent and charitable associations and societies;" which was read first time.

Senator Byrns introduced Senate bill No. 3, entitled "An act to amend sections 6685 and 6688 of article 2 of chapter 145 of the Revised Statutes of Missouri, in relation to the assessment and collection of the revenue;" which was read first time.

Senator Pehle introduced Senate bill No. 4, entitled "An act to amend sections 6685 and 6687 of article 2, chapter 145 of the Revised Statutes of Missouri;" which was read first time.

Senator Naylor introduced Senator bill No. 5, entitled "An act to repeal 'An act to provide for the exercise of the right of voting by persons who have failed to register;'" which was read first time.

Senator Cottey introduced Senate bill No. 6, entitled "An act requiring the Governor to appoint a special committee of the General Assembly to visit and examine the institutions of the State;" which was read first time.

On motion of Senator Lloyd, Senator McGrath was granted leave of absence until next Monday.

On motion of Senator Heaston, Senator Lloyd was granted a leave of absence until next Tuesday.

Second reading of bills being in order, Senate bill No. 1 was taken up, read second time, referred to the Committee on Ways and Means and 50 copies ordered printed.

On motion of Senator Cabell, the Senate adjourned until next Monday morning at 10 o'clock.

FOURTH DAY—MONDAY, January 10.

The Senate met pursuant to adjournment.

The President *pro tem.*, Senator Morrisson, in the chair.

Prayer by the Chaplain.

A quorum present.

Journal of Saturday read and approved.

Senator Edwards of St. Charles introduced Senate bill No. 7, entitled "An act to amend section 1182 of article 5 of the Revised Statutes of Missouri, entitled 'Of probate courts;'" which was read first time.

Senator Morrisson introduced Senate bill No. 8, entitled "An act to secure to the State the speedy settlement and payment of all sums of money due from Elijah Gates, late Treasurer of the State of Missouri;" which was read first time.

Senator Morrison introduced Senate bill No. 9, entitled "An act to secure to the State of Missouri a priority of lien in the case of insolvent debtors to the State;" which was read first time.

Senator Mabrey introduced Senate bill No. 10, entitled "An act to amend section 1307 of article 3, chapter 24 of the Revised Statutes of Missouri, entitled 'Crimes and criminal procedure;'" which was read first time.

Senator Dungan introduced Senate bill No. 11, entitled "An act to amend chapter 62 of the Revised Statutes of Missouri, 'Of recorder of deeds;'" which was read first time.

The following message was received from the Governor by Mr. Yost, Private Secretary :

EXECUTIVE OFFICE,
JEFFERSON CITY, January 10, 1881. }

SIR: I have the honor to submit the report of the Adjutant and Acting Paymaster-General Mitchell, made to me of his action in the premises in requesting, on behalf of this State, that the Secretary of the Treasury shall, in compliance with the act of Congress, approved January 27th, 1879, duly consider and report the amount which may be found due to this State, on account of military services rendered in concert with the troops of the United States in the suppression of the late rebellion.

Very respectfully,

JOHN S. PHELPS, Governor.

HON. H. C. BROKMEYER, President of Senate.

Which communication was read, and the same, together with the report accompanying it, was referred to the Committee on Militia, and 250 copies ordered printed.

The following message was also received from his Excellency, the Governor :

EXECUTIVE OFFICE,
JEFFERSON CITY, Mo., January 10, 1881. }

SIR: I have the honor to transmit the report made by the State Auditor to me, showing the condition of the State Interest and Sinking Funds on the first inst. Also, the amount of the bonded debt of the State, the date when the different series of the bonds will become due, and the year in which portions of the debt may be redeemed.

Very respectfully,

JOHN S. PHELPS, Governor.

HON. H. C. BROKMEYER, President of Senate.

Which communication was read, and the same, together with the report accompanying it, was referred to the Committee on Ways and Means and 250 copies ordered printed.

Hon. John T. Heard, Senator elect from the Nineteenth Senatorial District, came forward and presented his credentials, took and subscribed the oath of office, and took his seat as a Senator.

The President laid before the Senate the following:

"COPY OF TRUST."

The Bank of Commerce of St. Louis has received from Calvin F. Burkes the sum of one hundred and eighty-four thousand nine hundred seventy and 31-100 dollars (\$184,970 31-100), to be held by said bank

in trust for the following purposes, to wit: If the Thirty-first General Assembly of Missouri, shall, at any time during its regular session for the year 1880, enact into laws two bills, of which copies marked respectively A and B are hereto attached, and the same shall be approved by the Governor of the State of Missouri, then, as soon as the Bank of Commerce shall have been officially advised of the fact of the passage and final approval by the Governor of said two acts set forth in the copies hereto attached, the Bank of Commerce shall, without further notice or order from said Calvin F. Burnes, place said sum of one hundred and eighty-four thousand nine hundred and seventy and 31-100 dollars (\$184,970 31-100) to the credit of the State of Missouri. A delivery to said Bank of Commerce of copies of said two acts, certified according to law by the Secretary of the State, shall be considered an official advice to said bank of the passage and approval of said acts. This authority and trust is irrevocable by said Calvin F. Burnes, except as follows, namely: If the two bills marked A and B, or either of them, shall fail to be enacted into laws by said Thirty-first General Assembly at its regular session, or shall not be approved by the Governor, so that said General Assembly shall finally adjourn its said regular session for the year 1881, without the legislative enactment and executive approval of said two bills marked A and B, or either of them, then, and in that case the Bank of Commerce shall, and will hold said sum of one hundred and eighty-four thousand nine hundred and seventy and 31-100 dollars (\$184,970 31-100) as the money of said Calvin F. Burnes, subject to his order, to be checked for by him as any ordinary deposit for his credit. Executed in triplicate, St. Louis, January 6th, 1881.

BANK OF COMMERCE.

Signed by C. B. BURNHAM, President.

The foregoing receipt of the Bank of Commerce is a complete and correct statement of the trust assumed by the Bank of Commerce of St. Louis, and this shall be and is a full and final acquittance and release from me to said bank for all my claim to said sum of 184,970.31 dollars, or any part thereof, if placed to the credit of the State of Missouri, in conformity with the terms of the foregoing receipt and declaration of trust.

Witness my hand and seal this sixth day of January, 1881.

C. F. BURNES (Seal).

Which was read and two hundred and fifty copies ordered printed.

The bills referred to as exhibits "A" and "B," were introduced by Senator Morrison, and numbered respectively 8 and 9.

Senator Walker offered the following resolution :

WHEREAS, It is the wish of the 31st General Assembly that the inaugural of the Governor elect be attended with ceremonies appropriate to the dignity and importance of the office ; therefore be it

Resolved, That the President of the Senate appoint a committee of three from the Senate to meet with a like committee of five from the House, to act with the military in waiting upon his excellency T. T. Crittenden, Governor elect, and escorting him into the presence of the joint session in the hall of the House of Representatives assembled.

Which was read first and second times and adopted, and the President appointed as such committee, on the part of the Senate, Senators Walker, Mackay and Rogers.

On motion of Senator Cottey, the Senate took a recess until 11.45 A. M.

At the expiration of the recess taken, the President called the Senate to order, and the following communication was received from the House of Representatives :

Resolved, That the House of Representatives is now ready to meet the Senate in joint session for the purpose of inaugurating the Governor.

In compliance with the request of the House of Representatives, on motion of Senator Morrison, the Senate proceeded to the hall of the House of Representatives at 12 o'clock M.

At one o'clock the Senate returned from the House of Representatives and was called to order by the Hon. H. C. Brockmeyer, who proceeded to deliver his farewell address as follows :

SENATORS: In retiring from the position which I have held during the last four years, permit me to express to you my sincere thanks for the indulgence, the cordial support and ready assistance which I have received at your hands in the discharge of the duties devolving upon me as the presiding officer of this honored body. During the protracted sessions which embrace the period of these labors, no decision rendered by the chair was reversed by the judgment of the Senate. Your journal for that time records three appeals. The first, moved on February 10, 1877, by Senator Perkins, was decided by the vote of 23 for the decision of the chair to one vote for the appeal. The second, moved during the same session by Senator Wear, was decided by the vote of 26 for the decision to one vote for the appeal. The third, moved in January of 1879, by Senator Hudson, was decided by the vote of 18 for the decision, to 9 votes for the appeal. I refer to this

record not to boast, not to parade my own excellence, but as incontrovertible evidence of the spirit that animated, the zeal that fructified, and in the judgment that directed the labors of the Senate. It was the performance of the public duties imposed, not the quibbling upon the niceties of parliamentary law, that claimed and received your undivided attention. The harmonizing of the statute law with the constitution of 1875, accomplished in one session, and the successful revision and classification of the entire statutes of the State during the other, were labors so extensive and so arduous that they left but little time to correct errors committed by the presiding officer. I invoke the records, therefore, not to parade excellence of my own, when conscious of defects, but that it may have witness with me to the public virtue practised by the Senate in my presence. I invoke it that it may speak some slight appreciation of the earnest toil you have undergone for the common welfare, toil left wholly unrequited by public recognition. As legislators you are engaged in what may be called the "thankless job of the age." The masters you serve are many. Those who can truly value your labors are few. But the many cry out when the few only can judge; besides, you are the living representative, the actual embodiment of the public, the common, the general interest. But the general interest runs no newspapers. The general interest is every man's interest, is every man's business, and we all know "What is every man's business is no man's business." But he who serves no man, however serious his exertions, must be satisfied to take his labor for his pains. The people whose common interest is placed in your keeping is a part of the distinctive industrial nation of modern times. Other nations have other tasks to perform in the general economy of civilization. Ours is the task to establish the empire of free industry selected from all the people and kindred of the earth, under the call, Come ye, come every one who has a heart to dare or will to do—a continent is placed before us in all the savage luxury of nature. To subdue this, to transform this into the abode of civilized man, to lay broad and deep the foundation of empire, not with fire and sword, but with fire and axe, with spade and ploughshare, this is the task imposed, here lies the victory to be achieved—here lies the victory and here too the spoils of victory, wealth, power and present applause. For he alone is entitled to the wages of the day who performs the task of the day.

In this you can have no part, for your labor is not of to-day, nor of to-morrow; but if truly performed it is for all days, for all times. With the assurance that I shall always preserve the liveliest interest in whatever concerns the Senate of the State of Missouri, and the hope that I may retain the personal friendship of its members, I again

thank you, and bid you, and the public life which I have shared with many of you for twenty years, a final farewell.

Hon. R. A. Campbell, Lieutenant Governor elect, came forward, took the oath of office, and after a brief inaugural address entered upon the discharge of his duties as President of the Senate.

Senator Morrisson offered the following resolution, which was read first and second times and unanimously adopted :

Resolved, That in taking leave of Lieutenant-Governor Brokmeyer, whose able, honest and impartial discharge of duty in the arduous and difficult labor of presiding over this body for the last four years, has won for him the commendation of all with whom he has been officially associated—in thus taking leave of one, who, under the operation of the organic law of the State, lays down the insignia of office, we desire as a feeble testimony of our respect for the man, and our appreciation of his public services, to express our sincere regret at severing our official relations, and offer our most fervent prayer for his future welfare and prosperity.

Senator Heaston offered the following resolution, which was read the first and second time and adopted :

Resolved, That 5,000 copies of the inaugural address of His Excellency Governor Thomas T. Crittenden and the addresses of Lieutenant-Governors H. C. Brokmeyer and R. A. Campbell be published for the use of the Senate, and that they be printed separately.

The President laid before the Senate the following list of standing committees, which was read and 100 copies ordered printed for the use of the Senate :

STANDING COMMITTEES OF THE SENATE OF THE THIRTY-FIRST GENERAL ASSEMBLY.

Committee on Claims :

Senators Edwards of Lafayette, Mackay, Cabell Heaston and Gottschalk.

Committee on Engrossment :

Senators Edwards of St. Charles, Hutt, Rouse, Rogers and Headlee.

Committee on Banks and Corporations :

Senators Heard, Naylor, Bryant, Walker and Jacobs.

Committee on Ways and Means :

Senators Cottey, Morrisson, Lloyd, Heaston and McGrath.

Committee on Internal Improvements :

Senators Lloyd, Headlee, Edwards of Lafayette, Naylor and Bryant.

Committee on Judiciary:

Senators DeArmond, Cabell, Dobyns, Mabrey and Dungan.

Committee on Criminal Jurisprudence :

Senators Byrnes, Edwards of St. Charles, Lloyd, Rouse and Edwards of Lafayette.

Committee on Education :

Senators Morrisson, Headlee, Stephens, Bland and Dungan.

Committee on Federal Relations :

Senators Heaston, Hutt, DeArmond, Cabell and Bradley.

Committee on Agriculture :

Senators McMahan, Walker, Bradley, Caldwell and Stephens.

Committee on Privileges and Elections:

Senators Rouse, Headlee, DeArmond, Manring and Mackay.

Committee on Militia :

Senators Mackay, McGrath, McMahan, Perkins and Caldwell.

Committee on Accounts :

Senators Mabrey, Heard, Perkins, Byrnes and Bryant.

Committee on Enrolled Bills:

Senators Bradley, Bland, Hutt, Rogers and Mackay.

Committee on Permanent Seat of Government :

Senators McGrath, Walker, Morrisson, Gottschalk and Edwards of St. Charles.

Committee on Penitentiary :

Senators Walker, Naylor, Morrisson, Jacobs and Dobyns.

Committee on Administration and Probate Laws:

Senators Bryant, DeArmond, Heard, Heaston and Morrisson.

Committee on State Lands:

Senators Rogers, Bland, Hutt, Perkins and McMahon.

Committee on Roads and Highways:

Senators Perkins, Bradley, Stephens, Manring and Pehle.

Committee on Blind Asylum:

Senators Jacobs, Byrnes, Cottey, Gottschalk and Edwards of Lafayette.

Committee on Lunatic Asylum:

Senators Bland, Edwards of St. Charles, Pehle, Stephens and Caldwell.

Committee on State University :

Senators Stephens, Walker, Cottey, Heard and Rogers.

Committee on Deaf and Dumb Asylum:

Senators Hutt, Edwards of Lafayette, McGrath, Dobyns and Byrnes.

Committee on Swamp Lands:

Senators Mabrey, Morrisson, Gottschalk, Rogers and Caldwell.

Committee on State Printing :

Senators Heaston, Lloyd, Byrnes, Cottey and Headlee.

Committee on Constitutional Amendments :

Senators Dobyns, Cabell, Cottey, Lloyd and Heard.

Committee on Immigration :

Senators Cabell, Lloyd, Manring, Mabrey and Dobyns.

Committee on Retrenchment and Reform :

Senators Mackay, McMahan, Perkins, Bradley and Naylor.

Committee on Mining and Manufactures:

Senators Headlee, McGrath, Mabrey, Pehle and Lloyd.

Committee on Insurance :

Senators Naylor, Edwards of St. Charles, Bryant, Heard and Dungan.

Committee on County Boundaries :

Senators Dungan, DeArmond, Cottey, Rouse and Heaston.

Committee on Township Organization :

Senators Manring, Bland, Mackay, DeArmond and McMahon.

The President announced the following special committee on rules:

Senators Heard, Cottey, Morrisson, Headlee and Caldwell.

On motion of Senator Cottey, the Senate adjourned until to-morrow morning at 10 o'clock.

FIFTH DAY—TUESDAY, January 11.

The Senate met pursuant to adjournment.

The President, Lieutenant-Governor R. A. Campbell, in the chair.

Prayer by the Chaplain.

A quorum present.

The journal of yesterday was read and approved.

The President laid before the Senate the following communication from the Hon. E. A. Lewis, one of the judges of the St. Louis Court of Appeals, which was read, and the report accompanying the same was referred to the Committee on Judiciary:

LIEUT.-GOV. R. A. CAMPBELL, *President of the Senate of Missouri*:

DEAR SIR: I have the honor to transmit herewith a report from the Judges of the St. Louis Court of Appeals, in accordance with section 1066 of the Revised Statutes.

Very respectfully yours,

EDWARD A. LEWIS.

The President laid before the Senate the following communication:

BANK OF COMMERCE, }
St. Louis, January 7, 1881. }

To the Hon. President of the General Assembly of the State of Missouri, Jefferson City, Mo.:

SIR: In compliance with the charter of this corporation, I enclose herewith biennial report of its condition on December 31, 1880, and also append statement of its general condition; all of which is respectfully submitted.

I am, etc.

C. B. BURNHAM, President.

Which was read, and the statement accompanying the same referred to the Committee on Ways and Means.

Propositions and motions being in order,

Senator Morrison introduced Senate bill No. 12, entitled "An act to amend section 6660 of chapter 145 of the General Statutes, entitled 'Of the assessment and collection of the Revenue;'" which was read first time.

Senator Heaston introduced Senate bill No. 13, entitled "An act to repeal section 1804 of the Revised Statutes of Missouri;" which was read first time.

Senator Cabell introduced the following resolution, which was read first and second time and adopted:

Resolved, That the Judiciary Committee be instructed to enquire and report to the Senate, at the earliest practicable day, the number, date and amount of Missouri State bonds now outstanding and subject to redemption at the option of the State, and also to enquire and report to the Senate whether the Constitution of Missouri forbids the issue of non-taxable State bonds.

Senator Rouse introduced Senate bill No. 14, entitled "An act to amend section 3488, article 4, chapter 59 of the Revised Statutes;" which was read first time.

Senator DeArmond introduced Senate bill No. 15, entitled "An act to amend sections 6685, 6688, 6695, 6699, 6705, 6716, 6617 and 6718 of the Revised Statutes of the State of Missouri, being parts of article 2 of chapter 145, concerning assessors and the assessment of property;" which was read first time.

Senator Cottey introduced Senate bill No. 16, entitled "An act in relation to suing married women;" which was read first time.

Senator Bryant introduced Senate bill No. 17, entitled "An act respecting the probate court in the county of Jackson;" which was read first time.

Second reading of bills being in order,

Senate bill No. 7 was taken up, read the second time, referred to the Committee on Judiciary, and 50 copies ordered printed.

Senate bill No. 8, entitled "An act to secure to the State the speedy settlement and payment of all sums of money due from Elijah Gates, late Treasurer of the State of Missouri, was taken up, read second time, referred to the Committee on Ways and Means, and 50 copies ordered printed.

Senate bill No. 9, entitled "An act to secure to the State of Missouri a priority of lien in the case of insolvent debtors to the State," was taken up, read second time, referred to the Committee on Ways and Means, and 50 copies ordered printed.

Senate bill No. 10 was taken up, read second time, referred to the Committee on Criminal Jurisprudence, and 50 copies ordered printed.

Senate bill No. 11, was taken up, read second time, referred to the Committee on Judiciary, and 50 copies ordered printed.

Senator DeArmond moved to reconsider the vote by which Senate bill No. 8 was referred to the Committee on Ways and Means, with a view to having the same referred to the Committee on Judiciary.

Senator Cottey opposed the reconsideration.

The motion to reconsider was agreed to by the following vote, Senator DeArmond demanding the ayes and noes:

AYES—Senators Cabell, Caldwell, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Headlee, Hutt, Jacobs, Lloyd, Mabrey, Mackay, Manring, Perkins, Rogers, Rouse and Stephens—17.

NOES—Senators Bland, Bradley, Cottey, Edwards of St. Charles Heard, Heaston, McGrath, Naylor, Pehle and Walker—10.

ABSENT—Senators Bryant, Gottschelk, McMahan and Morrisson—4.

ABSENT ON LEAVE—Senator Byrns—1.

On motion of Senator DeArmond the vote by which Senate bill No. 9 was referred to the Committee on Ways and Means was reconsidered, and Senate bills Nos. 8 and 9 were laid over informally.

On motion of Senator DeArmond, Senator Byrns was granted leave of absence for five days.

Senator Lloyd presented a petition from Hon. Ira C. Terry in relation to the election of Hon. H. Manistre from the 29th Senatorial District; which was read and referred to the Committee on Elections.

On motion of Senator Mackay, the Senate adjourned until to-morrow morning at 10 o'clock.

SIXTH DAY—WEDNESDAY, January 12.

MORNING SESSION.

The Senate met at 10 o'clock A. M., pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain, Rev. W. A. Masker.

The journal of yesterday was read and approved.

A message was received from the Governor through his Private Secretary, Mr. F. C. Farr.

On motion of Senator Walker, at 10:05 o'clock, the Senate went into executive session.

At 10:15 o'clock the Senate resumed regular session.

Senator DeArmond presented a memorial from the Hon. John S. Phelps, John F. Williams and other members of the bar in relation to a Supreme Court commission ; which was laid upon the table and 100 copies ordered printed.

Senator Lloyd submitted the following report from the Committee on Elections :

MR. PRESIDENT: Your Committee to whom was referred the certificate of election of Henry Manistre, claiming to be the Senator elect for the 29th senatorial district of Missouri, beg leave to report that they have carefully considered the same, and find—

1st. That it appears from said certificate, herewith returned, that at the election on the second day of November, 1880, said Henry Manistre was duly elected Senator from said district.

2d. That said certificate further recites that said " Henry Manistre has not paid his State, school and city taxes within one year next preceding the day of his said election;" which statement is, in the judgment of your committee, one not required to be made, and one that can have no greater significance or force than the recital required by law in a case where no proper and sufficient tax collector's receipt has been produced.

3d. That said certificate is insufficient in not supplying the evidence required by law respecting the payment of taxes.

4th. That said Manistre did, in fact, pay a State and city tax in the city of St. Louis, in which said senatorial district is situate, on the first day of November, 1879, as appears from the receipt of the tax collector of said city, exhibited to us and hereto attached marked "A."

Your committee therefore conclude that in this case the payment of said "State and city" tax fulfills the requirements of the Constitution and statutes as to the kind of taxes to be paid ; and state, as to time of payment, section six of article four of the Constitution is substantially complied with by the payment of such taxes on the first day of November, 1879, being within, barely within, one year next preceding the day of election, November second, 1880.

Wherefore your committee respectfully recommend that said Henry Manistre be permitted to quallify as Senator for said twenty-ninth senatorial district.

L. M. LLOYD, Chairman.

Which was read and adopted.

The Hon. Henry Manistre came forward, took and subscribed the oath of office and took his seat a Senator.

Senator Cottey offered the following resolution, which was read first and second time and adopted :

Resolved, That the Ways and Means Committee be authorized to rent a suitable room for the use of said Committee during the session of the 31st General Assembly.

Senator McGrath offered the following resolution, which was read first and second time and adopted :

Resolved, That the Committee on Permanent Seat of Government be and it is hereby instructed to provide suitable and necessary furniture for use in the Senate Chamber.

Senator Morrisson introduced Senate bill No. 18, entitled "An act for the relief of Louis C. Lohman ;" which was read first time.

Senator Stephens introduced Senate concurrent resolution No. 1, "Concurrent resolution memorializing Congress to appropriate money," etc. ; which was read first time.

Senator Rouse introduced Senate bill No. 19, entitled "An act to amend section 3514, article 5, chapter 59 of the Revised Statutes ;" which was read first time.

Senator Rouse introduced Senate bill No. 20, entitled "An act to amend section 3721 and section 3722, article 10, chapter 59 of the Revised Statutes ;" read first time.

Senator Dobyns introduced Senate bill No. 21, entitled "An act to amend sections 6673 and 6675 of article 1, chapter 145 of the Revised Statutes of Missouri, entitled 'Of the assessment and collection of the revenue ;' " which was read first time.

Senator Pehle introduced Senate bill No. 22, entitled "An act to amend section seven thousand six hundred and twenty-three (7623) of article 1, chapter 164 of the Revised Statutes of Missouri of 1879, entitled 'Lost warrents, how renewed ;' " which was read first time.

Senator Hutt introduced Senate bill No. 23, entitled "An act to amend section 145, article 8, chapter 1 of the Revised Statutes, entitled 'Redemption sale and conveyance of real estate ;' " read first time.

Senator Hutt introduced Senate bill No. 24, entitled "An act to amend section 1021, article 1 of chapter 23, Revised Statutes of Missouri, entitled 'General powers and duties of courts ;' " read first time.

Senator Lloyd introduced joint and concurrent resolution No. 2, entitled "Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress, to use all means in their representative capacity to establish an efficient territorial government in the Indian Territory, and to open the public lands in said Territory belonging to the Government to settlement under the homestead and preemption laws of the United States;" which was read first time.

On second reading of bills, the following were taken up and read second time and 50 copies of each ordered printed :

Senate bill No. 12; Ways and Means.

Senate bill No. 13; Committee on Criminal Jurisprudence.

Senate bill No. 14; Judiciary.

Senate bill No. 15; Ways and Means.

Senate bill No. 16; Judiciary.

Senate bill No. 17; Judiciary.

On motion of Senator Morrisson, Senate bills Nos. 8 and 9 were taken up, 50 copies of each ordered printed, and referred to the Committee on Ways and Means.

On motion of Senator Morrisson, the Senate took a recess until 3 p. m.

AFTERNOON SESSION.

The Senate met pursuant to recess.

President in the chair.

A quorum present.

Senator Walker moved that the Senate take a recess for 30 minutes; carried.

At 3:30 the President called the Senate to order.

A message was received from the Governor, through his Private Secretary, Mr. Farr.

On motion of Senator Cottey, the Senate went into executive session at 3:35 o'clock.

At 3:45 the Senate resumed its regular session, and, on motion of Senator Edwards of St. Charles, the Senate adjourned until 10 o'clock to-morrow morning.

SEVENTH DAY—THURSDAY, January 13.

MORNING SESSION.

The Senate met pursuant to adjournment.

The president in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read approved.

Propositions and motions being in order, Senator Mackey introduced Senate bill No. 25, entitled "An act to amend section 974, Revised Statutes of Missouri, relating to benevolent associations;" which was read first time.

Senator Hutt introduced Senate bill No. 26, entitled "An act to amend section 173, article 8, chapter 1 of the Revised Statutes of Missouri, entitled 'Redemption, sale and conveyance of real estate;'" which was read first time.

Senator Hutt introduced Senate bill No. 27, entitled "An act to amend section 3468, article 1, chapter 59 of the Revised Statutes of Missouri, entitled 'Of the forms of civil actions and the parties thereto;'" which was read first time.

Senator Jacobs introduced Senate bill No. 28, entitled "An act to discourage the keeping of useless and sheep-killing dogs, and to provide indemnity for damages done by same;" which was read first time.

Senator Dungan introduced Senate bill No. 29, entitled "An act to amend sections 5626, 5627, 5628, 5629, 5630 and 5632 of chapter 103 of the Revised Statutes of Missouri, entitled 'Of fees;'" which was read first time.

Senator Bryant introduced Senate bill No. 30, entitled "An act to authorizing the establishing, widening and improving public roads, avenues and boulevards;" which was read first time.

Senator Cabell introduced Senate bill No. 31, entitled "An act to promote immigration;" which was read first time.

On second reading of bills, the following were taken up, read the second time, 50 copies of each ordered printed and referred:

Senate joint and concurrent resolution No. 1; Federal Relations.

Senate joint and concurrent resolution No. 2; Federal Relations.

Senate bill No. 18; referred to Committee on Claims.

Senate bill No. 19; referred to Committee on Judiciary.

Senate bill No. 20; referred to Committee on Judiciary.

Senate bill No. 21; referred to Committee on Ways and Means.

Senate bill No. 22; referred to Committee on Ways and Means.

Senate bill No. 23; referred to Committee on Judiciary.

Senate bill No. 24; referred to Committee on Judiciary.

Senator DeArmond moved that the Senate go into executive session at 10:15 a. m.; carried.

At 11:25 the Senate resumed regular session.

Senator Cottey offered the following resolution, which was read first and second time and adopted:

Resolved, That the Committee on Public Printing be and they are hereby instructed to take such steps as may be necessary to secure the prompt and speedy printing of Senate bills.

Senator Cabell presented a memorial from the Committee appointed by the Immigration Convention, held in the city of St. Louis on the 13th day of May, 1880, which was laid upon the table, and 200 copies ordered printed in pamphlet form for the use of the two Houses.

Senator Headlee was excused from service on the Committee on Education and placed on the Committee Lunatic Asylums.

Senator Caldwell was excused from the Committee on Lunatic Asylums and placed on the Committee on Education.

Senator Lloyd raised a question of privilege and said an article had appeared in the State Journal, published at Jefferson City, of date Wednesday, January 12, 1881, purporting to give the finding of the special Committee on Elections in considering the credentials of Senator Manistre. The publication, said Senator Lloyd, was erroneous, and as the case of Senator Manistre and the other like cases referred to the committee were the first that had arisen under the present law of eligibility and would likely be referred to hereafter as precedents, it was important that the facts in the case should be correctly understood.

The question for the consideration of the committee was whether Senator Manistre had paid a State and county tax within one year next preceding his election as required by art. 4, sec. 6, Constitution of State of Missouri, sec. 5509 of Revised Statutes of State of Missouri.

Your committee found that Senator Manistre on the 1st day of November, 1879, paid a State and city tax in the City of St. Louis, where he resided, and within the district from which he was elected, and your committee, believing that where the will of the people is in question that the laws governing the case should receive at least a reasonable and liberal construction so as to carry out that will and the

4th subdivision of sec. 3126 of art. 2, chap. 46, Revised Statutes of Missouri, entitled construction of laws, providing "that the time within which an act is to be done shall be computed by excluding the 1st day and including the last;" your committee under this construction of said constitution and statutory provisions were led to conclude that Senator Manistre had complied with the spirit and intent of the law, and was therefore entitled to his seat.

On motion of Senator Dungan, the Senate adjourned until ten o'clock to-morrow morning.

EIGHTH DAY—FRIDAY, January 14, 1881.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

The President laid before the Senate the following communication:
Hon. Robert A. Campbell, President of the Senate, Jefferson City Missouri:

SIR: I have the honor herewith to forward you a copy of the Biennial Report of the Normal School of the second district, made to the General Assembly in compliance with law.

I am, with respect, your obedient servant,
HENRY C. FIKE,

Secretary of Board of Regents.

Which was read and the report accompanying the same was referred to the Committee on Education.

Senator Morrisson submitted a report from the special committee appointed by the Governor to settle with the Auditor and Treasury, which was laid upon the table and 1,500 copies ordered printed, five hundred for the use of the Senate, and one thousand for the use of the appendix.

Senator Morrisson introduced Senate bill No. 32, entitled "An act to revise and amend chapter one hundred and forty-five of the Revised Statutes of Missouri, entitled 'Of the assessment and collection of the revenue;'" which was read first time and 50 copies ordered printed.

Senator Rouse introduced Senate bill No. 33, entitled "An act to amend sections 1900, 1902 and 1904, article VIII, chapter 24 of the Revised Statutes, entitled 'Of crimes and criminal precedence;'" which was read first time and 50 copies ordered printed.

Senator Mabrey introduced Senate bill No. 34, entitled "An act to amend section 5609, chapter 103, entitled 'Fees,' to have State pay board bill in felony cases; which was read first time and 50 copies ordered printed.

Senator DeArmond introduced Senate bill No. 35, entitled "An act to further prescribe the duties of county surveyor;" which was read first time and 50 copies ordered printed.

Senator Heaston introduced Senate bill No. 36, entitled "An act declaring certain bonds due and payable, and authorizing the Fund Commissioners to sell four and a half per cent. bonds to redeem the bonds so declared due and payable;" which was read first time and 50 copies ordered printed.

On motion of Senator Jacobs, Senator Dungan was granted leave of absence until next Wednesday.

Senate bills Nos. 25 to 31 were taken up and 50 copies ordered printed.

Senator Edwards of St. Charles moved that when the Senate adjourn it adjourn to meet Monday morning at 10 o'clock; agreed to.

On motion of Senator Morrisson, the Senate adjourned.

NINTH DAY—MONDAY, January 17, 1881.

The Senate met pursuant to adjournment.

President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Friday read and adopted.

Senator Heard, from the Special Committee on Rules, offered the following resolution :

Resolved, That the Special Committee on Rules of the Senate be authorized to employ a clerk for the purpose of preparing the rules as revised by the committee, which was read first and second times and adopted.

Senator Cabell offered the following resolution :

WHEREAS, The House of Representatives of the present General Assembly has appropriated all the available rooms in the Capitol and in the Supreme Court building for the use of standing committees of the House ;

Resolved, That a committee of five, consisting of Senators Walker, Cottey, Mackay, Jacobs and McGrath, be appointed to secure suitable rooms for the use of such standing committees of the Senate as in their judgment require committee rooms ; which was read first and second times and adopted.

Senator Stephens offered the following resolution :

Resolved, That the Committee on Retrenchment and Reform are instructed to examine and ascertain the several amounts paid to State and county officers as salaries, for the purpose of revising the same, and report to this body what, if any, changes are advisable, at as early a day as practicable ; which was read first and second times, and upon vote being taken was not adopted.

Senator Naylor introduced Senate bill No. 37, entitled "An act to regulate the taking of depositions in civil actions, pending in courts of record and justices courts ;" which was read first time and 50 copies ordered printed,

Senator Pehle introduced Senate bill No. 38, entitled "An act to amend sections 6723 and 6724 of article two (2), chapter one hundred and forty-five (145) of the Revised Statutes of Missouri, in relation to the assessment and collection of the revenue ;" which was read first time and 50 copies ordered printed.

Senator Edwards of St. Charles introduced Senate bill No. 39, entitled "An act to amend sections 841 and 846, article 3, chapter 21, Revised Statutes of Missouri, entitled 'Railroad classification—charges—commissioners ;' " which was read first time and 50 copies ordered printed.

Senator Byrns introduced Senate bill No. 40, entitled "An act to amend section 138 of chapter twenty-four of the Revised Statutes of Missouri in relation to crimes and criminal procedure ;" which was read first time and 50 copies ordered printed.

Senator Cottey, chairman of the Committee on Ways and Means introduced Senate bill No. 41, entitled "An act to appropriate money for the support of the State Government for the years 1881 and 1882;" which was read first time and 50 copies ordered printed.

Senator Dobyns introduced Senate bill No. 42, entitled "An act to amend sections 4314, 4316, 4317, 4320, 4321, 4322 and 4323 of chapter 84 of the Revised Statutes of Missouri, entitled 'Of bridges;'" which was read first time and 50 copies ordered printed.

On motion of Senator Rogers, Senator Jacobs was granted leave of absence until Thursday.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 6, entitled "An act requiring the Governor to appoint a special committee of the General Assembly to visit and examine the institutions of the State," beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported, being Senate bill No. 6, was taken up and ordered engrossed and printed.

Senator Morrisson submitted the following report from the Committee on Ways and Means:

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 8, entitled "An act to secure to the State the speedy settlement and payment of all sums of money due from Elijah Gates, late Treasurer of the State of Missouri," beg leave to report that they have considered the same, and recommend that it do pass with the following amendments.

The bill so reported, being Senate bill No. 8, was taken up and the following amendments, reported by the Committee on Ways and Means, were read first and second times and adopted :

Amend printed bill by inserting in the blank in first line of section 1, the figures "30."

Amend printed bill by inserting in blank in line 2, section 2, the words and figures "thirtieth."

Senator Lloyd moved to postpone the further consideration of the bill until Wednesday at 11 o'clock, and that it be made the special order of that day and hour; which motion was rejected by the following vote, the ayes and noes being demanded :

AYES—Senators Cabell, Caldwell, DeArmond, Dobyns, Jacobs, Lloyd, Manistre, Manring, Phelan, Perkins, Rogers and Rouse—12.

NOES—Senators Bland, Burns, Cottey, Edwards of Lafayette, Ed-

wards of St. Charles, Gottschalk; Heard, Heaston, Hutt, McGrath, Mabrey, Mackay, Morrisson, Naylor and Stephens—15.

ACSENT—Senators Bradley, Bryant, Headlee, McMahan and Walker—5.

ABSENT ON LEAVE—Senator Dungan—1.

On motion of Senator Morrisson, the bill was then laid over until to-morrow at 11 o'clock, and made the special order for that hour.

On motion of Senator Jacobs, Senator Headlee was granted leave of absence for to-day.

Senator Morrisson submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 9, entitled "An act to secure to the State of Missouri a priority of lien in the case of insolvent debtors to the State," beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported, being Senate bill No. 9, was taken up and made the special order for to-morrow morning at 11 o'clock.

Report of committee on rebuilding State Lunatic Asylum No. 2, was taken up and referred to the Committee on Ways and Means.

The report of the Register of Lands was taken up and referred to the Committee on State Lands.

On motion of Senator Lloyd the Senate went into executive session at 11:15 o'clock.

At 12 o'clock the Senate resumed its regular session.

On motion of Senator Dobyne the Senate adjourned until to-morrow morning at 10 o'clock.

TENTH DAY—TUESDAY, January 18.

MORNING SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Lloyd, from the Committee on Elections, submitted the following report, which was read, and, on motion of Senator Cottey, made the special order for next Friday morning at 11 o'clock:

MR. PRESIDENT: Your Committee on Elections, to whom was referred the certificate of election of Thomas G. Allen, claiming to be the Senator elect for the Twenty-seventh Senatorial District of Missouri, beg leave to report that they have carefully considered the same and find,

1st. That it appears from said certificate that at the general election in St. Louis county, Mo., Nov. 2, 1880, said Thomas G. Allen received the highest number of votes cast for any person for said office, and that he paid a State, school and city tax within one year next preceding said election, as appears from the receipt of the tax collector of the city of St. Louis, in the State of Missouri, produced to the clerk of the county court of St. Louis county aforesaid, as said official, the county clerk, duly certified.

2d. That a city tax in the city of St. Louis is, in the judgment of your committee, a county tax within the meaning of the Constitution and laws of the State, so far as they relate to the matter submitted.

3d. That the question of eligibility arising on the said certificate and argued before your committee is this: Must the payment of the taxes required to be paid be within the senatorial district in this case, within the Twenty-seventh Senatorial District, or is it sufficient *as to place* if payment be made elsewhere in the State?

If the requirement is that the Senator shall have paid the specific tax in his county or senatorial district, then Mr. Allen was ineligible and should not be seated. If, on the other hand, payment of taxes, as affecting the eligibility of a person offering for the office of State Senator, is not limited as to place, except that it must be within the State,

then said Allen was eligible as to the tax-paying and should be admitted on his certificate.

The committee submit that the question here raised is an all-important one, deserving the careful consideration of the Senate, as its decision will probably become a precedent to govern like cases in the future.

Section 6, article 4 of the Constitution of Missouri, in prescribing the qualifications of State Senators, provides, among other things, that "no person shall be a Senator who shall not have paid a State and county tax within one year next preceding the election."

Your committee do not understand said section 6, article 4 of the Constitution, as imposing or fixing, in letter or spirit, any limitation as to the place of the payment of taxes required to be paid, excepting only the implied limitation of payment within the State of Missouri, for whose people, and by whose people, the Constitution was framed.

Section 5509 of the Revised Statutes of Missouri, and which may seem to require the payment of taxes to be shown by receipt of the tax collector of the county wherein the Senator resides, and thus to limit the payment necessary to make one eligible for the office of State Senator to the county of his residence, is not understood by your committee as really adding to, taking from, or modifying the constitutional requirement, but as designed to prescribe a mode of showing the fact of payment of taxes required to be paid, as well as a means of directing attention to the tax-paying element of eligibility, so that the Senate may, as we think it should, investigate before permitting any one claiming to be a Senator elect, to qualify in case the required evidence of tax-paying is not found in his certificate.

Your committee do not regard the Constitution as requiring the payment of taxes to be made within the Senatorial district, and does not think a person eligible for the Senatorship by the Constitution is made ineligible by the Statute.

Your committee therefore recommend that said Thos. G. Allen be permitted to qualify, as entitled on his certificate, to the seat he claims.

Senator Cottey offered the following resolution:

Resolved, That the message of His Excellency, Governor John S. Phelps, to the Thirty-first General Assembly of the State of Missouri, be and the same is hereby referred to the standing committees of the Senate as follows: All that portion under the captions "The Treasury," "Of the Revenue," "State Interest and Sinking Fund," "Indebtedness of the State," "The Mastin deficit," "Revenue Bonds," "Rate of Interest" and "National Bank of Commerce," to the Committee on Ways and Means; that portion under the caption "Education," to the Committee on Education; that portion under the caption "The State Cen-

sus," to the Committee on Senatorial and Representative Apportionment; that portion under the caption "Immigration," to the Committee on Immigration; that portion under the caption of "Railroads," to the Committee on Banks and Corporations; that portion under the captions "Execution of Criminal Laws" and "Costs in Criminal Cases," to the Committee on Criminal Jurisprudence; that portion under the captions "Revision of Laws" and "Settlement with Auditor and Treasurer," to the Committee on Judiciary; that portion under the caption "Supreme Court," to the Committee on Constitutional Amendments; that portion under the caption "The Penitentiary," to the Committee on Penitentiary; that portion under the caption "School of Mines," to the Committee on Mines and Mining; that portion under the caption "Repairs of the State Capitol," to the Committee on Permanent Seat of Government; that portion under the captions "War Claims" and "Militia," to the Committee on Militia; that portion under the caption "Fish Culture," to the Committee on Agriculture; that portion under the caption "Lunatic Asylum at St. Joseph," to the Committee on Lunatic Asylums.

Senator Hutt introduced Senate bill No. 43, entitled "An act to authorize judges of probate courts to appoint guardians and curators in vacation," which was read first time and 50 copies ordered printed.

Senator Byrns introduced Senate bill No. 44, entitled "An act to amend section forty-three hundred and twenty-four, chapter eighty-four of the Revised Statutes of Missouri, in relation to 'bridges.'" which was read first time and 50 copies ordered printed.

Senator DeArmond introduced Senate bill No. 45, entitled "An act to provide and regulate an additional mode of punishment for crime," which was read first time and 50 copies ordered printed.

Senator Mabrey introduced Senate bill No. 46, entitled "An act to authorize guardians and curators, under order of the probate court, to purchase real estate in certain cases for the benefit of their wards," which was read first time and 50 copies ordered printed.

Senator Mabrey introduced Senate bill No. 47, entitled "An act to authorize executors and administrators, under order of the probate court, to purchase real estate in certain cases for the benefit of creditors and other persons," which was read first time and 50 copies ordered printed.

Senator Walker presented the biennial report of the Warden and Inspectors of the Missouri Penitentiary, which was laid upon the table

and 1,750 copies ordered printed, 1,000 for the appendix, 500 for the use of the Senate and 250 for the use of the Warden.

The President announced that to-day being the second Tuesday after the meeting and organization of the Legislature, the order of business is the election of a United States Senator for the regular term of six years, commencing on the 4th day of March, 1881, and ending on the 31 day of March, 1887.

Senator Hutt moved that the Senate now proceed to vote for a United States Senator, as provided by "An act of Congress providing for the election of United States Senators," which motion was agreed to.

The President of the Senate then announced that nominations for United States Senator, for the term of six years, commencing March 4th, 1881, and ending March 3d, 1887, were in order.

Senator Morrisson placed in nomination Hon. Francis M. Cockrell, of Johnson county.

Senator Cabell seconded the nomination of Mr. Cockrell.

Senator Dungan placed in nomination Col. D. P. Dyer, of St. Louis.

Senator Caldwell nominated Hon. G. B. DeBernardi.

Senator Manring seconded the nomination of Mr. DeBernardi.

There being no other nominations, the President directed the Secretary to call the roll, which being done, the following Senators voted:

FOR FRANCIS M. COCKRELL—Senators Bland, Bradley, Bryant, Byrns, Cabell, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Edwards of St. Charles, Headlee, Heard, Heaston, Hutt, Lloyd, McGrath, Mabrey, Mackey, Morrisson, Naylor, Perkins, Rouse, Stephens and Walker—24.

FOR DAVID P. DYER—Senators Dungan, Gottschalk, Manistre, Pehle and Rogers—5.

FOR G. B. DEBERNARDI—Senators Caldwell and Manring—2.

ABSENT—Senator McMahan.

ABSENT ON LEAVE—Senator Jacobs.

Total number of votes cast, 31; necessary to a choice, 32.

The chair announced that the Hon. Francis M. Cockrell, having received a majority of all the votes cast, was declared the choice of the Senate for United States Senator for six years ensuing the 4th day of March, 1881.

Senator Morrisson called up Senate bill No. 8, it being the special order for 11 o'clock.

Senator DeArmond moved to reconsider the vote by which the amendments to Senate bill No. 8 were adopted on yesterday.

The ayes and nays being demanded, the motion was lost by the following vote :

AYES—Senators Bryant, DeAmond, Dobyns, Dungan, Lloyd, Manistre, Manring, Pehle and Rouse—9.

NOES—Senators Bland, Bradley, Byrns, Cabell, Caldwell, Cottey, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, McGrath, Mabrey, Morrisson, Mackey, Naylor, Perkins, Rogers, Stephens and Walker—22.

ABSENT ON LEAVE—Senator Jacobs.

SICK—Senator McMahon.

Senator DeArmond offered the following amendment, which was read first and second times :

Amend section 2 by adding thereto the following : “And this act shall not be understood or taken, as against the State, as a ratification or adoption of any act of said Elijah Gates, late State Treasurer, and no claim or right of the State shall be, by this act, surrendered, suspended or impaired, and no person or persons now liable, or who may become liable, to the State, in any manner, or on any account, shall be, by this act, released or discharged, but every such person shall be holden and may be proceeded against, at any time, as if this act were not passed ; and the State shall not be, in any way, estopped, limited or postponed by this act with respect to any right of action or remedy accrued or that may accrue to her ; nor shall any right or claim of the State be transferred or relinquished by this act, except as to the sense of money mentioned in the preceding section, and as to that only when payment of said sum shall have been made as in this act provided ; and each and every payment of money into the Treasury of the State, and each and every act of placing money, or causing money to be placed, to the credit of the State in her recognized depository, by whomsoever done, shall be irrevocable, and no one shall ever have, or be allowed, any claim or demand against the State on account thereof, but all such moneys shall be the absolute property of the State.

Which was read first and second times, and, the ayes and noes being demanded, was lost by the following vote :

AYES—Senators Bryant, DeArmond, Dungan, Gottschalk, Headlee, Mabrey, Mackay, Manistre and Perkins—9.

NOES—Senators Bland, Bradley, Byrnes, Cabell, Caldwell, Cottey, Dobyns, Edwards of Lafayette, Edwards of St. Charles, Heard, Heaston, Hutt, Lloyd, McGrath, Morrisson, Naylor, Rogers, Rouse, Stephens and Walker—20.

ABSENT—Senators Manring and Pehle—2.

ABSENT ON LEAVE—Senator Jacobs.

SICK—Senator McMahan.

On motion of Senator Morrisson, the bill was ordered engrossed.

Senator Morrisson called up Senate bill No. 9, and moved that it be engrossed, which was agreed to.

Senator Lloyd offered the following resolution asking the opinion of the Attorney-General on Senate bill No. 8, Senate bill No. 9, and "copy of trust," now pending in the Senate, entitled "An act to secure to the State the speedy settlement and payment of all sums of money due from Elijah Gates, late Treasurer of the State of Missouri;" which was read first and second times :

Resolved by the Senate, That the Secretary thereof furnish the Attorney-General with a copy of Senate bill No. 8, entitled "An act to secure to the State the speedy settlement and payment of all sums of money due from Elijah Gates, late Treasurer of the State of Missouri," and Senate bill No. 9, and "copy of trust," and that the Attorney-General be and he is hereby requested to examine said bill and return to the Senate his official opinion as to the effect of the same, should it become a law, upon the rights of the State as they now exist against the Treasurer and his securities for any default on his part in relation to the funds of the State; and whether under the provisions of said bill the State will forfeit or lose any right she now has against the Treasurer and his securities for the recovery of the \$184,970.30 alleged to have been deposited by said Elijah Gates in the Mastin Bank in Kansas City, Missouri, if said Elijah Gates should fail to pay into the State Treasury the said sum of \$184,970.30 as provided by said Senate bill No. 8; and whether, under the provisions of said bill the State will forfeit or lose any right she may now have against the Treasurer and his securities for any other deficit that may exist in said Treasury by reason of said Elijah Gates having deposited the State funds in any other bank or banking corporation; and whether, if said bill becomes a law, the same will have the effect of a ratification on the part of the State, of any of the acts of the Treasurer in the deposit of the State funds in bank, or any other acts in relation thereto whereby the State may sustain a loss; and whether, if such bill in any respect fails to guard the rights and interests of the State, in what respect and wherein the same can be remedied by legislation by way of amendment of the present bill or otherwise,

Which was read first and second times, and, the ayes and noes being demanded, was adopted by the following vote :

AYES—Senators Bland, Bradley, Bryant, Byrnes, Caldwell, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heaston, Hutt, Lloyd, McGrath, Mabrey, Mackay, Manistre, Manring, Naylor, Pehle, Perkins, Rogers, Rouse and Stephens—27.

NOES—Senators Cottey, Morrisson and Walker—3.

ABSENT—Senator Oabell.

ABSENT ON LEAVE—Senator Jacobs.

SICK—Senator McMahan.

The memorial relating to a Supreme Court commission was taken up, and referred to the Committee on Constitutional Amendments.

On motion of Senator Cottey, the Senate took a recess until 3 P. M.

AFTERNOON SESSION.

Senate met at 3 o'clock P. M. pursuant to recess taken.

President in the chair.

A quorum present.

Senator McMahan was reported sick.

On motion of Senator Cottey, the Senate took a recess for thirty minutes.

Recess having expired, the Senate was called to order.

Senator McGrath offered the following resolution :

Resolved, That the Commissioner of Permanent Seat of Government be and he is hereby instructed to have all the approaches leading to the Capitol properly covered with sawdust. Considering the dangerous condition of the walks and steps from ice and snow, this should be attended to immediately; which was read first and second times and adopted.

Senate bill No. 41 was taken up, read a second time and referred to Committee on Ways and Means.

On motion of Senator Cottey, the Senate adjourned until to-morrow morning at 10 o'clock.

ELEVENTH DAY—WEDNESDAY, January 19.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

A message was received from the Governor, through his private Secretary, Mr. Farr.

On motion of Senator Morrisson, the Senate went into executive session at 10:05 o'clock.

At 10:30 o'clock the Senate resumed its regular session.

Senator Rogers submitted the following report from the Committee on State Lands, which was read and adopted:

MR. PRESIDENT: Your committee to whom was referred the report of the Register of Lands for the years 1879 and 1880, beg leave to report that they have carefully considered the same, and respectfully recommend:

First—That so much of the report as refers to the condition of the records in his office, and asking for an appropriation for additional clerk hire, to enable him to index and abstract the same, be referred to the Committee on Ways and Means.

Second—That so much of said report as refers to the recommendation, that authority be given the Governor to direct the Register of Lands to correct the records in certain cases, be referred to the Committee on Judiciary, as legal questions are involved which might seriously affect the title of lands.

Third—That so much of the report as refers to swamp lands be referred to the Committee on Swamp Lands.

Fourth—That 1,500 copies of the report be printed, 1,000 for the appendix, 250 for the General Assembly and 250 for the Register of Lands.

Senator Bradley introduced Senate bill No. 48, entitled "An act

to amend sections 4937 and 4939, article 5 of chapter 89 of the Revised Statutes of 1879, concerning cities, towns and villages;" which was read and 50 copies ordered printed.

On motion of Senator Heaston, the Senate took a recess until half past eleven o'clock.

At the expiration of the recess, the President called the Senate to order.

The following message was received from the House, through Mr. Hawley, Chief Clerk:

MR. PRESIDENT: I am instructed by the House of Representatives, to inform the Senate that the House has taken up and passed substitute for House bill No. 60, entitled "An act to amend sections 591 and 592 of the Revised Statutes of the State of Missouri, entitled 'Of official bonds,' " in which the concurrence of the Senate is respectfully requested; which was read.

Senator Heard submitted the following report from the Special Committee on Rules, which was read first and second times and adopted:

RULES OF THE SENATE.

MR. PRESIDENT: Your committee, especially appointed to revise the rules for the government of the Senate, have performed this duty, and beg leave to submit the following as the result of their labor:

Of the President and Senate:

RULE 1. The President shall take the chair every day at the hour to which the Senate had previously adjourned, and shall call the Senate to order, and, after prayer by the Chaplain, shall cause the journal of the preceding day to be read; if less than a majority of the Senators are present they may adjourn from day to day, and compel the attendance of absent members; and any two members, at any time after the hour has arrived to which the Senate has adjourned may have a call of the Senate, and have the names of the absentees entered on the journal.

RULE 2. Upon calls of the Senate, or in taking the yeas and nays on any question, the names of the members shall be called alphabetically.

RULE 3. Upon the call of the Senate, the names of the members shall be called over by the Secretary and the absentees noted; after

which the names of the absentees shall again be called over. The doors shall then be shut, and those for whom no excuse, or insufficient excuses are made, may, by order of the majority of those present, if ten in number, be taken into custody as they appear, or may be sent for and taken into custody wherever to be found by the Sergeant-at-Arms, or Assistant Sergeant-at-Arms appointed by the President for that purpose, at the expense of such absent member or members respectively, unless such excuse for non-attendance shall be made as the Senate, when a quorum is convened, shall judge sufficient.

Powers and duties of the President:

RULE 4. It shall be the duty of the President to preserve order, and he may speak on all questions of order in preference to any other member, rising from his seat for that purpose; and shall decide on all questions of order, subject to an appeal to the Senate; and all questions of order shall be noted by the Secretary, with the decision.

RULE 5. Questions shall be distinctly put in this form, to wit: "As many as are of opinion that (as the question may be,) say aye;" and after the affirmative voice is expressed, "as many as are of the contrary opinion say no." If the President doubts, or a division is called for, the house shall divide—those in the affirmative of the question shall first rise from their seats, and afterward those in the negative.

RULE 6. All committees shall be nominated by the President, unless otherwise directed by the Senate. Standing committees shall consist of five members, and select committees shall consist of three members each, unless otherwise ordered by the Senate.

RULE 7. Every member who shall be in the Senate when the question is put shall vote, unless the Senate, for special reasons, shall excuse him. All motions to excuse a member from voting shall be made before the Senate divides, or before the call for yeas and nays is commenced. In taking the ayes and noes, each member shall declare openly his assent or dissent to the question.

RULE 8. Every motion shall be reduced to writing, if the President or any member requires it.

RULE 9. The President may, at any time, leave the chair and call any member of the Senate thereto, who shall be President of the Senate for the time being, and the President shall, at leisure, resume the chair; and if the person called to the chair shall object and the President insists, the question shall be decided by the Senate.

RULE 10. The President shall rise to put a question, but may state it sitting.

RULE 11. The President shall sign all acts, joint resolutions and addresses, and all writs, warrants and subpoenas, issued by order of the

Senate, shall be under his hand and attested by the Secretary; and he shall have general direction and superintendence of the Senate Chamber.

RULE 12. In case of disturbance or disorderly conduct in the lobby or galleries, the President shall have power to order the same cleared, and shall have general control of the Senate Chamber and the employes thereof, unless otherwise directed by the Senate.

President pro tem.:

RULE 13. The Senate shall, at the commencement of each regular session, elect one of its number President *pro tempore*, who shall serve during the term of the General Assembly at which he is elected, and who shall exercise the office of President during the sickness or absence of the President.—[Const., Art. 5, Sec. 17.]

RULE 14. Stenographers and reporters wishing to take down the debates and proceedings of the Senate may be admitted by the President to the reporters' table on the floor of the Senate, under such regulations as he may prescribe, and he shall assign a seat to the Official Reporter of the Senate.

Secretary—his duties:

RULE 15. It shall be the duty of the Secretary to keep an exact journal of the proceedings of the Senate; and he shall, from time to time, be subject to further orders, as the Senate may direct.

RULE 16. When a bill or joint resolution passes, it shall be certified by the Secretary, noting the day of its passage at the foot thereof.

RULE 14. When a motion is made for an amendment of any bill or resolution, the mover's name shall be inserted on the journal.

Sergeant-at-Arms—his duties:

RULE 18. It shall be the duty of the Sergeant-at-Arms to keep order in the lobby, and to attend the Senate during its sittings; to execute the commands of the Senate from time to time, together with all such process issued by authority thereof as shall be directed to him by the President.

Doorkeeper—his duties:

RULE 19. It shall be the duty of the Doorkeeper to obey the orders of the Senate from time to time.

Sworn to Secrecy:

RULE 20. The Sergeant-at-Arms and Doorkeeper shall be sworn to keep the secrets of the Senate when in secret session.

OF BILLS.

Shall be read three times:

RULE 21. Every bill shall be read on three different days.

RULE 22. No law shall be passed except by bill, and no bill shall be so amended in its passage through either House as to change its original purpose.—[Const., Art. 4, Sec. 25.]

RULE 23. Bills may originate in either House, and may be amended or rejected by the other; and every bill shall be read on three different days in each House.—[Const., Art. 4, Sec. 26.]

RULE 24. No bill shall be considered for final passage unless the same has been reported upon by a committee and printed for the use of the members.—[Const., Art. 4, Sec. 27.]

RULE 25. No bill (except general appropriation bills, which may embrace the various subjects and accounts for and on account of which moneys are appropriated, and except bills passed under the third subdivision of section forty-four of this article,) shall contain more than one subject, which shall be clearly expressed in its title.—[Const., Art. 4, Sec. 28.]

Signing Bills:

RULE 26. No bill shall become a law until the same shall have been signed by the presiding officer of each of the two Houses in open session; and before such officer shall affix his signature to any bill, he shall suspend all other business, declare that such bill will now be read, and that, if no objections be made, he will sign the same to the end that it may become a law. The bill shall then be read at length, and if no objections be made, he shall, in the presence of the House in open session, and before any other business is entertained, affix his signature, which fact shall be noted on the journal, and the bill immediately sent to the other House. When it reaches the other House, the presiding officer thereof shall immediately suspend all other business, announce the reception of the bill, and the same proceedings shall thereupon be observed, in every respect, as in the House in which it was first signed. If in either House any member shall object that any substitution, omission or insertion has occurred, so that the bill proposed to be signed is not the same in substance and form as when considered and passed by the House, or that any particular clause of article 4 of the Constitution has been violated in its passage, such objection shall be passed upon by the House, and if sustained the presiding officer shall withhold his signature; but if such objection shall not be sustained, then any five members may embody the same, over their signatures, in a written protest, under oath, against the signing of the bill. Said protest, when offered in the House, shall be noted upon the journal, and the original shall be annexed to the bill, to be considered by the Governor in connection therewith.—[Const., Art. 4, Sec. 37.]

Approval of Governor:

RULE 27. When the bill has been signed, as provided for in the preceding section, it shall be the duty of the Secretary of the Senate, if the bill originated in the Senate, to present the same in person, on the same day on which it was signed as aforesaid, to the Governor, take his receipt therefor, and enter the fact of such delivery and the time thereof upon the journal. Every bill presented to the Governor, and returned within ten days to the house in which the same originated, with the approval of the Governor, shall become a law, unless it be in violation of some provision of the Constitution. [Const., Art. 4, Sec. 38.]

Governor's Veto:

RULE 28. Every bill presented as aforesaid, but returned without the approval of the Governor, and with his objections thereto, shall stand as reconsidered in the house to which it is returned. The house shall cause the objections of the Governor to be entered at large upon the journal, and proceed, at its convenience, to consider the question pending, which shall be in this form: "Shall the bill pass, the objections of the Governor thereto notwithstanding?" The vote upon this question shall be taken by yeas and nays, and the names entered upon the journal, and if two-thirds of all the members elected to the house vote in the affirmative, the presiding officer of that house shall certify that fact on the roll, attesting the same by his signature, and send the bill, with the objections of the Governor, to the other house, in which like proceedings shall be had in relation thereto; and if the bill receive a like majority of the votes of all the members elected to that house, the vote being taken by yeas and nays, the presiding officer thereof shall in like manner certify the fact upon the bill. The bill thus certified, shall be deposited in the office of the Secretary of State, as an authentic act, and shall become a law in the same manner and with like effect as if it had received the approval of the Governor. [Const., Art. 4, Sec. 39.]

Printing Bills:

RULE 29. Unless otherwise ordered, fifty copies of all bills and joint resolutions shall be printed after their first reading, and before a second reading shall be permitted, unless such second reading be unanimously called for.

Emergency Clause:

RULE 30. On all bills containing an emergency clause, the vote shall first be taken on the bill, excluding the emergency clause, and

if the bill receive the votes of a majority of all the members, then a vote shall be taken on the emergency' clause, and if two-thirds of all the members elected vote in favor of it, the bill shall take effect immediately after its passage. [Const., Art. 4, Sec. 36.]

Division of question:

RULE 31. If the question in debate contain several points, any member may have the same divided, if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Senate; but on motion to strike out and insert, it shall not be in order to move for a division of the question; but a rejection of the motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, nor prevent a subsequent motion simply to strike out; nor shall the rejection of a motion, simply to strike out, prevent a subsequent motion to strike out and insert.

AMENDMENTS.

RULE 32. All amendments adopted by either house to a bill pending and originating in the same, shall be incorporated with the bill by engrossment, and the bill, as thus engrossed, shall be printed for the use of the members before its final passage. The engrossing and printing shall be under the supervision of a committee, whose report to the house shall set forth, in writing, that they find the bill truly engrossed, and that the printed copy furnished to the members is correct. The chairman of said committee shall have authority to select a clerk to assist him in reading proof, and to act as messenger for said committee. [Const., Art. 4, Sec. 29.]

RULE 33. If a bill passed by either house be returned thereto amended by the other, the house to which the same is returned shall cause the amendment or amendments so received to be printed, under the same supervision as provided in the next preceding section, for the use of the members, before final action on such amendments. [Const., Art. 4, Sec. 30.]

RULE 34. No amendment to bills by one house shall be concurred in by the other, except by a vote of a majority of the members elected thereto, taken by yeas and nays, and the names of those voting for and against recorded upon the journal thereof; and reports of committees of conference shall be adopted in either house only by the vote of a majority of the members elected thereto, taken by yeas and nays, and the names of those voting recorded upon the journal. [Const., Art. 4, Sec. 32.]

RULE 35. No act shall be amended by providing that designated words thereof be stricken out, or that designated words be inserted, or that designated words be stricken out and others inserted in lieu thereof; but the words to be stricken out or the words to be inserted, or the words to be stricken out and those inserted in lieu thereof, together with the act or section amended, shall be set forth in full, as amended. [Const., Art. 4, Sec. 34.]

Final passage—ayes and nays:

RULE 36. No bill shall become a law unless, on its final passage, the vote be taken by yeas and nays, the names of the members voting for and against the same be entered on the journal, and a majority of the members elected to each house be recorded thereon as voting in its favor. [Const., Art. 4, Sec. 31.]

Motion to reconsider:

RULE 37. When a bill is put upon its final passage, and, failing to pass, a motion is made to reconsider the vote by which it was defeated, the vote upon such motion to reconsider shall be immediately taken, and the subject finally disposed of before the Senate proceeds to any other business. [Const., Art. 4, Sec. 35.]

Acts set forth at length:

RULE 38. No act shall be revived or re-enacted by mere reference to the title thereof, but the same shall be set forth at length as if it were an original act. [Const., Art. 4, Sec. 33.]

OF DECORUM AND DEBATE.

RULE 39. When a member is about to speak, he shall rise and respectfully address himself to the President, standing at his seat, and wait until his name or designation is announced, when he shall proceed.

RULE 40. If two or more members rise at once, the President shall name the person who is to speak first, the other rising having the preference next to speak.

RULE 41. The President shall preserve decorum; and if any member transgress the rules of the Senate, the President shall, or any member may, call him to order, in which case the member called to order shall immediately sit down, unless permitted to explain; and the Senate, if appealed to, shall decide on the case. If there be no appeal, the decision of the chair shall be submitted to. If the decision shall be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, he shall not be permitted to proceed.

RULE 42. If a member be called to order for words spoken in debate, the person calling him to order shall repeat the words excepted to, and they shall be taken down in writing at the Secretary's table;

and no member shall be held to answer, or be subject to the censure of the Senate, for words spoken in debate, if any other member has spoken, or other business has intervened, after the words spoken, and before exception to them has been taken.

RULE 43. No member shall speak more than once to the same question without leave of the Senate, unless he be the mover, proposer or introducer of the matter pending, in which case he shall be permitted to speak in reply, but not until every member choosing to speak shall have spoken.

RULE 44. In proceedings and debates of the Senate, the members shall not be spoken of or addressed by each other by their individual names.

Smoking prohibited:

RULE 45. No smoking shall be allowed in the Senate chamber while the Senate is in session.

Previous question:

RULE 46. The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted on demand of two members, and sustained by a vote of two-thirds of the members present; and its effect shall put an end to all debate, and bring the Senate to a direct vote upon a motion to commit, if such motion shall have been made; and if this motion does not prevail, then upon amendments reported by a committee, if any; then upon pending amendments, and then upon the main question. On the demand for the previous question, a call of the Senate shall be in order; but after two-thirds shall have sustained such motion, no call shall be in order prior to the decision of the main question.

RULE 47. On the motion for the previous question, no debate shall be allowed, and all incidental questions of order arising after the motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate. If, on a vote for the previous question, a majority, but less than two-thirds of the members present, shall vote in the affirmative, the effect of such vote shall in nowise interfere with the consideration of the subject then pending; but if a majority of the members vote in the negative, then the further consideration of the subject matter before the Senate shall be postponed for that day.

Motions—how put:

RULE 48. When a motion is made and seconded, it shall be stated by the President, or being in writing, it shall be handed to the Chair, and read aloud by the President or Secretary before debated.

RULE 49. After a motion is stated by the President, or read by the Secretary, it shall be deemed to be in the possession of the Senate, but may be withdrawn at any time before a decision or amendment; but afterward, only with the consent of the Senate.

Privilege motions :

RULE 50. When a question is under debate, no motion shall be received but to adjourn, to lay on the table, for the previous question, to postpone to a day certain, to commit or amend, to postpone indefinitely; which several motions shall have precedence in the order in which they are arranged; and pending the motion to lay on the table, the merits of the question shall not be discussed; and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day, at the same stage of the bill or proposition.

RULE 51. A motion to adjourn, and a motion to fix the day to which the Senate shall adjourn, shall always be in order, unless a member is speaking, or the yeas and nays are being taken, or a call is being made, and shall be decided without debate; and no member shall leave his seat until the result is declared.

Privileged persons :

RULE 52. No persons, except members of the House of Representatives, their clerks, the Governor, the Secretary of State, Judges of the Supreme and Circuit Courts, Attorney-General, and members of Congress, shall be admitted within the bar of the Senate during the sitting of the same, unless invited by a member.

Questions, how voted on :

RULE 53. All questions, whether in committee or Senate, shall be propounded in the order in which they are moved, except privileged questions, which shall be propounded as stated in rule 35, and in filling up blanks, the largest sum and longest time shall be first put.

Petition, etc., purport to be stated :

RULE 54. When any petition, memorial or remonstrance is presented to the Senate, the person presenting the same shall give a concise statement of the purport thereof, and it shall be disposed of according to its character, without reading, unless the reading thereof be required by two members.

Secret session :

RULE 55. On the discussion of any business which may, in the opinion of a member, require secrecy, the President shall order the gallery to be cleared; and during the discussion, the doors shall be

closed, unless otherwise directed by the Senate. When nominations shall be made in writing by the Governor of the State to the Senate, a future day shall be assigned, unless the Senate unanimously direct otherwise, for taking them into consideration.

Enrolling clerk, elected when :

RULE 56. When the Senate shall think their business requires it, they shall elect one or more Enrolling Clerks for the Senate.

Times of meeting :

RULE 57. The times of meeting of the Senate, during its present session, unless otherwise ordered, shall be ten o'clock in the forenoon and two o'clock in the afternoon.

Protest of members—how entered :

RULE 58. Any member voting in the minority on any subject, and protesting against the vote of the House, may have his protest entered on the journal, if the tenor and language of such protest would have been admissible in the discussion of the subject.

Journal—ayes and nays :

RULE 59. The Senate shall, from time to time, publish a journal of its proceedings, and the yeas and nays on any question shall be taken and entered on the journal at the motion of any two members. Whenever the yeas and nays are demanded, the whole list of members shall be called, and the names of the absentees shall be noted and published in the journal.

Reconsideration :

RULE 60. When any question may have been decided in the Senate, on which two-thirds of the members present are necessary to carry the affirmative, any member who voted on that side which prevailed on the question, may be at liberty to move a reconsideration; and a motion for reconsideration shall be decided by a majority of votes.

Indefinite Postponement :

RULE 61. When a question is postponed indefinitely, the same shall not be acted upon during the session.

Bills—engrossed :

RULE 62. All bills ordered to be engrossed shall be executed in a fair, round hand.

Ayes and noes :

RULE 63. No member shall call for the ayes and noes on any question after the same has been declared to be a vote by the President.

Member shall not vote—when:

RULE 64. No member shall be permitted to vote on a subject in which he is immediately interested.

Absentees:

RULE 65. No member shall absent himself from the service of the Senate, unless he has leave, or be sick, or unable to attend.

Three readings—when required:

RULE 66. All resolutions proposing amendments to the Constitution shall receive three readings previous to their being passed; and the President shall give notice at each, whether it be the first, second or thirds; which reading shall be on three different days. And all resolutions to which the approbation and signature of the Governor may be requisite, or which may grant money out of the contingent or any other fund, shall be treated in all respects, in the introduction and form of proceedings on them in the Senate, in a similar manner with bills; and all other orders, resolutions or votes to which the concurrence of the House may be necessary (except for adjournment) shall be read in the Senate; and laid on the table, on a day preceding that on which the same shall be moved, unless the Senate shall otherwise expressly allow by a vote of two-thirds of those present.

Rules and orders of business—how changed:

RULE 67. No standing rule or order of the Senate shall be rescinded or changed without one day's notice being given of the motion therefor; nor shall any rule be suspended, except by a vote of at least two-thirds of the members present; nor shall the order of business, as established by the rules, be postponed or changed, except by a vote of at least two-thirds of the members present.

COMMITTEE OF THE WHOLE.

RULE 68. It shall be a standing order of the day, throughout the session, for the Senate to resolve itself into a Committee of the Whole.

RULE 69. In forming the Committee of the Whole, the President shall leave the chair and appoint a chairman to preside.

RULE 70. Upon a bill being committed to Committee of the Whole, the same shall be read throughout by the Secretary, and then again read and debated by clauses, leaving the preamble to be last considered. The body of the bill shall not be defaced or interlined. After the report, the bill shall be subject to be debated and amended by clauses, before a question to engross and print it be taken.

RULE 71. All amendments made to an original motion in committee shall be incorporated with the motion and so reported.

RULE 72. All amendments made to reports, resolutions or other matter committed to Committee of the Whole, shall be noted and reported as in case of a bill.

RULE 73. The rules and proceedings of the Senate shall be observed in Committee of the Whole, so far as they may be applicable.

RULE 74. A majority of the members constituting the Senate shall be a quorum to do business, and if the committee find itself without a quorum, the chairman shall cause a roll of the Senate to be called, and thereupon the committee shall rise, the President resume the chair, and the chairman shall report the cause of the rising of the committee and the names of the absentees to the Senate, which shall be entered on the journal.

RULE 75. On motion for the rising of the Committee of the Whole shall always be in order unless a member is speaking or vote being taken, and shall be decided without debate.

STANDING COMMITTEES.

RULE 76. The following standing committees, to consist of five members each, shall be appointed by the President, with leave to report by bill or otherwise, unless otherwise ordered :

1. A Committee on Claims.
2. A Committee on Engrossment and Printing.
3. A Committee on Banks and Corporations.
4. A Committee on Ways and Means.
5. A Committee on Internal Improvements.
6. A Committee on Judiciary.
7. A Committee on Criminal Jurisprudence.
8. A Committee on Free Public and Normal School Education.
9. A Committee on Federal Relations.
10. A Committee on Agriculture.
11. A Committee on Privileges and Elections.
12. A Committee on Militia.
13. A Committee on Accounts.
14. A Committee on Enrolled Bills.
15. A Committee on Permanent Seat of Government.
16. A Committee on Penitentiary.
17. A Committee on Senatorial and Representative Apportionment.
18. A Committee on State Lands.
19. A Committee on Roads and Highways.
20. A Committee on Blind Asylum.
21. A Committee on Lunatic Asylums.

22. A Committee on State University.
23. A Committee on Deaf and Dumb Asylum.
24. A Committee on Swamp Lands.
25. A Committee on State Printing.
26. A Committee on Constitutional Amendments.
27. A Committee on Immigration.
28. A Committee on Retrenchment and Reform.
29. A Committee on Mining and Manufacturing.
30. A Committee on Insurance.
31. A Committee on County Boundaries.
32. A Committee on Township Organization.

RULE 77. Any member of the Senate, appointed upon any of said committees, may resign at any time by leave of the Senate, or may be, by leave of the Senate, transferred from one committee to another.

RULE 78. In cases not provided for by the above rules, the Senate shall be governed by the rules laid down in Jefferson's Manual and Smith's Digest.

Reports of Committees:

RULE 79. All reports of Special or Standing Committees of the Senate relating to the appropriation, expenditure or improper use of money; also all Senate reports relating to the duty or management of any board of managers, directors, trustees or agents of any of the educational and eleemosynary institutions of the State, or of any State officer, or co-ordinate branch of the State government, shall, without further order, be perpetuated by printing same in the appendix to the journal.

RULE 80. No report of a Committee of Conference, or any house amendment to a Senate bill, shall be declared adopted without the assent of a majority of all the members of the Senate elect, and that the ayes and nays shall be taken thereon and entered upon the journal.

Reference:

RULE 81. When motions are made to refer any subject, and different committees shall be proposed, the question shall be in the following order: The Committee of the Whole; a Standing Committee; a Select Committee.

RULE 82. No committee shall sit during the sitting of the Senate without special leave.

ORDER OF BUSINESS.

After the journal is read, business shall be disposed of in the following order :

1. Petitions, memorials and remonstrances.
2. Resolutions.
3. Concurrent Resolutions.
4. Joint Resolutions.
5. Introduction of Bills.
6. Reports of Standing Committees.
7. Reports of Select Committees.
8. Second reading of Senate bills.
9. Third reading of Senate bills.
10. Bills, reports and other business on the table.
11. Messages from the House.
12. First reading of House bills.
13. House bills on second reading.
14. House bills on third reading.
15. Orders of the day.

RULE 83. The President shall, on each day, announce to the Senate the business in order, agreeably to the preceding rule; and no business shall be taken up or considered until the class to which it belongs be declared to be in order; but communications from the Governor may be read, and reports from the Committee on Enrollment received, at any time; and the unfinished business in which the Senate is engaged at the last preceding adjournment shall have preference of order of business.

On motion of Senator Bradley, 200 copies of the revised rules of the Senate were ordered printed, the officers and standing committees of the Senate to be printed therewith.

Senator Edwards of St. Charles offered the following joint resolution, which was read first and second times and adopted :

Resolved by the Senate, the House concurring therein, That the following joint rules be, and that the same are hereby adopted for the government of both Houses of the Thirty-first General Assembly :

JOINT RULES OF BOTH HOUSES.

SECTION 1. When the business requires the attendance of the Senate in the Representatives' Chamber, they, with their Secretary, shall be conducted within the bar, and there seated; and when so assembled, the President of the Senate shall preside, and every member of

the Senate and House of Representatives shall be at liberty to make motions and debate, and the rules of the House of Representatives shall govern, as if that House were in Committee of the Whole House.

SEC. 2. When a message shall be sent from one House to the other, it shall be announced by the Doorkeeper thereof, and the import thereof respectfully communicated to the Speaker or President, as the case may be, by the person by whom it is sent.

SEC. 3. Bills may originate in either House, and may be amended or rejected by the other, and every bill shall be read on three different days in each House.—[Const., Art. 4, Sec. 26.]

SEC. 4. All amendments adopted by either House to a bill pending and originating in the same, shall be incorporated with the bill by engrossment, and the bill as thus engrossed shall be printed for the use of the members before its final passage. The engrossing and printing shall be under the supervision of a committee, whose report to the House shall set forth in writing that they find the bill truly engrossed, and that the printed copy furnished to the members is correct.—[Const., Art. 4, Sec. 29.]

SEC. 5. If a bill passed by either House be returned thereto, amended by the other, the House to which the same is returned shall cause the amendment or amendments so received to be printed under the same supervision as provided in the next preceding section, for the use of the members, before final action on such amendments.—[Const., Art. 4, Sec. 30.]

SEC. 6. No amendments to bills by one House shall be concurred in by the other, except by a vote of the majority of the members elected thereto, taken by yeas and nays, and the names of those voting for and against, recorded upon the journal thereof; and reports of committees of conference shall be adopted in either House only by a vote of a majority of the members elected thereto, taken by yeas and nays; and the names of those voting recorded upon the journal.—[Const., Art. 4, Sec. 31.]

SEC. 7. No bill shall become a law until the same shall have been signed by the presiding officer of each of the two Houses in open session; and before signing the bill he shall suspend all other business, and state that the bill will now be read. If no objections are made, the bill will then be read; after the reading of which he will attach his signature to the same, that it may become a law. The signing of the same shall be noted on the journal, and the bill immediately sent to the other House. If objections are made to the fourth reading of the bill, the objections shall then be heard, after which the bill shall take the course as prescribed in section 37, article 4 of the Constitution.—[Const., Art. 4, Section 37.]

SEC. 8. When a bill has been signed, it shall be the duty of the Secretary of the Senate, if the bill originated in the Senate, and of the Chief Clerk of the House, if the bill originated in the House, to present the same in person, on the same day on which it was signed, to the Governor, and enter the fact on the journal. Every bill presented to the Governor and returned within ten days, approved by him, shall become a law.—[Const.. Art. 4, Sec. 38.]

SEC. 9. Every bill returned without the approval of the Governor, and with his objections thereto, shall stand as reconsidered in the House to which it is returned. The House shall cause the objections of the Governor to be entered at large upon the journal, and proceed at its convenience to consider the question pending, which shall be in this form: "Shall the bill pass, the objections of the Governor thereto notwithstanding?" The vote upon the question shall be by yeas and nays, and the names entered upon the journal. If two-thirds of all the members elected to the House vote in the affirmative, the presiding officer of that House shall certify the fact on the roll, attesting the same by his signature; the bill, with the objections of the Governor, shall then forthwith be sent to the other House, where like proceedings shall be had in relation thereto; if the bill receive a like majority of the votes of all the members elected to that House, the vote being taken by yeas and nays, the presiding officer shall thereupon in like manner certify the fact upon the bill. The bill thus certified shall be deposited in the office of the Secretary of State, as an authentic act, by the Clerk of the House, if it originated in the House, or the Secretary of the Senate, if it originated in the Senate. The bill shall become a law, in the same manner and with like effect as if it had received the approval of the Governor.—[Constitution, article 4, section 39.]

SEC. 10. All orders and resolutions requiring the approbation of the Governor shall also be previously examined and signed, and shall be presented in the same manner and by the same person as provided in case of bills.

SEC. 11. When a bill or resolution, which shall have passed one House, shall be signed in the other, notice thereof shall be given the House in which the same originated.

SEC. 12. When any papers may come officially before either House of the General Assembly, or any communication of the Governor, and are proper to be acted upon by both Houses, the House before whom such papers are laid, or to whom such communications are made, shall, as soon as they have proceeded and acted upon the same, lay a copy before the other House.

SEC. 13. When a vacancy shall happen in either House, notice thereof shall be given to the other House.

SEC. 14. All messages and communications between the two Houses shall be conveyed by the Clerk of the House originating the same.

SEC. 15. When a bill has been reported upon by a committee of either House and ordered to engrossment, three hundred (300) copies shall be printed, 75 for the use of the Senate and 225 for the use of the House; and when the passage of the bill is reported to the other House the officer reporting it shall deliver the printed copies with the original bill.

The following message was received from the House, through Mr. Hawley, Chief Clerk:

MR. PRESIDENT: I am instructed to inform the Senate that the House is now ready to receive that body in order that the two Houses may proceed in joint session to cast up the vote by the Senate and the House for United States Senator.

The Senate proceeded to the House of Representatives at 12 o'clock M.

The President called the joint session to order and directed the journals of yesterday of the two Houses to be read, from which it appeared that Francis M. Cockrell received, in the Senate, 24 votes; David P. Dyer received, in the Senate, 5 votes, and D. G. DeBernardi received, in the Senate, 2 votes.

The journal of the House being read, it appeared that Francis M. Cockrell received, in the House, 94 votes; David P. Dyer received, in the House, 38 votes; D. G. DeBernardi received 4 votes, and James O. Broadhead received, in the House, 1 vote.

Thereupon the President announced that Francis M. Cockrell, having received a majority of all the votes cast in each House, was declared duly elected United States Senator from the State of Missouri for the term of six years, beginning March 4th, 1881, and ending March 3d, 1887.

The joint session then dissolved and the Senate returned to the Senate Chamber.

On motion of Senator Morrison, the Senate adjourned until to-morrow morning at 10 o'clock.

TWELFTH DAY—THURSDAY, January 20.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

Senator Perkins was reported sick.

The President laid before the Senate the following report from Hon. John Walker:

HON. ROBERT A. CAMPBELL, President of the Senate:

DEAR SIR: In compliance with section 6111, Revised Statutes, I submit the following abstract of a certificate of the Register of Lands filed in my office January 18th, 1881, in relation to an erroneous sale by the State of Missouri of a certain tract of State land, said tract of land having been sold to two persons.

ABSTRACT.

South half southwest quarter, section 12, township 34, range 29, west, sold to James R. Lindley, of Dade county, Mo., for \$100 May 31st, 1856.

South half southwest quarter, section 12, township 34, range 29, west, sold to Alexander H. Henderson, of Callaway county, Mo., for \$100, August 12th, 1857; which was read and referred to Committee on State Lands.

Senator Morrisson introduced Senate bill No. 49, entitled "An act to create the office of public printer," which was read and 50 copies ordered printed.

Senator Headlee introduced Senate bill No. 50, entitled "An act to appropriate money and provide for the payment of the Rolla Board of Education," which was read first time and 50 copies ordered printed.

Senator Walker introduced Senate bill No. 51, entitled "An act to amend section 6498, chapter 138, article 1 of the Revised Statutes of the State of Missouri, entitled 'Of the Penitentiary,'" which was read first time and 50 copies ordered printed.

Senator Naylor introduced the following resolution :

Resolved, That the Secretary be and he is hereby authorized to employ two more clerks, one for the journal and one for miscellaneous work ; which was read first and second times and adopted.

Senator Edwards of Lafayette introduced Senate bill No. 52, entitled "An act to amend section two thousand and one of the Revised Statutes of Missouri, in relation to administration," which was read first time and 50 copies ordered printed.

Senator Cabell introduced the following resolution, which was read first and second times and adopted :

Resolved, That the jailor of the city of St. Louis be required to furnish the Senate, at once, a list of all prisoners now confined in the jail in said city, giving the name of each, the charge on which each is held, the length of time each has been in jail, designating those who have been tried, giving the dates of their trial, also the finding of the juries in the cases of those who have been tried and are still detained in the jail under sentence ; also, the date of the rendering of the verdicts in such cases.

Senator Edwards of Lafayette introduced Senate bill No. 53, entitled "An act to amend section twenty-two, chapter one of article one of the Revised Statutes of Missouri, in relation to administrators," which was read first time and 50 copies ordered printed.

Senator Walker moved that the Senate go into executive session at 10:15 o'clock, which was agreed to.

At 12 o'clock M. the Senate resumed its regular session.

The President laid before the Senate the following communication from D. H. McIntyre, Attorney-General of the State :

CITY OF JEFFERSON, January 20, 1881.

To the Honorable, the President of the Senate of the Thirty-first General Assembly:

SIR: I have the honor of acknowledging the receipt of a copy of Senate resolution asking for the opinion of the Attorney-General upon several questions propounded in said resolution.

These questions relate to the effect of Senate bills Nos. 8 and 9, should they become laws, upon the interests of the State in relation to a certain balance of money deposited heretofore in the Mastin Bank at Kansas City by the State Treasurer, and now alleged to be on deposit in the Bank of Commerce, in St. Louis, Mo.

I will answer these questions in the order in which they are stated :

1. The first question is, in substance, an inquiry as to the effect of the enactment of these bills into laws, "upon the rights of the State as they now exist against the Treasurer and his securities for any default on his part in relation to the funds of the State." The rights of the State against the Treasurer and his securities, in case of the supposed default in safely keeping, accounting for and paying over any moneys that may have come to his hands as Treasurer of the State, would be the right to sue upon the bond and recover against the principal and his sureties the amount of the deficiency, whatever that may be. This is briefly what I understand to be the rights of the State in the premises; and this right to employ all lawful means to compel the Treasurer to make good the default, if any, in my judgment, would remain unaffected as to him and his securities, even if these bills should be enacted into laws and by any means the money should not be paid into the Treasury, as provided in Senate bill No. 8. The proposition contained in said bill No. 8 is simply that, if the ex-treasurer shall pay the balance due the State on account of the said deposit or deposits in the Mastin Bank, to wit: the sum of \$184,970.31 in — days, then there shall vest in him all the rights which the State of Missouri has or may have by priority, or otherwise, to recover the same from the said Mastin Bank, its sureties, officers or assignee, all moneys due by them to the State, or to the said Elijah Gates, State Treasurer. In other words, Mr. Gates is to be subrogated to the rights of the State, to sue in his own name to enforce said priority in the same manner as the State might now do. The proposition contained in the said bill as it relates to Treasurer Gates and his securities on the one part, and the State of Missouri on the other, may be regarded as of the nature of a compromise, or an offer to settle upon terms. The State offers to transfer its rights in the premises to the said Elijah Gates upon the sole condition of his paying a specified sum of money. If the State fails to get its money by this means it is simply a failure to make a settlement; and neither Treasurer Gates or his securities are, thereafter, one particle less liable to the State for any balance due by him, as Treasurer to the State, than he and they were before such negotiations for settlement took place. Again, section 2 of said Senate bill No. 8 provides "that this act shall be without effect unless said Gates shall pay said money as aforesaid on or before the — day after this act is passed. I conclude, therefore, that no disadvantage or bad effect would result to the State's interest from the passage of Senate bill No. 8 in any event.

2. I am requested to give my opinion as to whether the State would "forfeit or lose any right it may now have against the Treasurer and

his securities in the event that Elijah Gates should fail or refuse to pay into the State Treasury the said sum of money alleged to have been deposited in the said Mastin Bank." The answer to this question is necessarily involved in the former question, and for the reasons stated in relation thereto, I answer that the State would neither forfeit or lose any right to pursue the Treasurer and his securities for the whole amount of any deficiency found due to the State on final settlement with said Elijah Gates, State Treasurer.

3. Again, my opinion is requested as to whether, under the provisions of the said bill, the State will "forfeit or lose any right it may now have against the Treasurer and his securities for any other deficit, caused by or resulting from the deposit of any of the State's moneys in some other banking corporation." My answer is, I think not, for the reason, first, that there is no undertaking in Senate bill No. 8 to release Elijah Gates or his securities from any liability or undertaking by him or them in reference to the safe keeping and accounting for any and all of the moneys of the State which came into his hands as State Treasurer; and no release or discharge can result from the passage of these bills except by operation of law in virtue of his having paid the money mentioned in Senate bill No. 8, and to that extent only. So that if there be any of the moneys of this State lost by reason of the same having been deposited in some other banking institution the liability of the said Treasurer and his securities will not be affected by the provisions of these bills, since they relate alone to the moneys deposited in the Mastin Bank and no other; and, second, for the reason that we cannot extend the force and operation of these provisions by implication beyond the natural and reasonable intendment of their plain and express terms and conditions.

I beg to add with respect to the copy of the trust that, in my opinion, the Bank of Commerce is a trustee of an express trust, and, having accepted the trust, it is bound, not merely because the trust is made irrevocable in terms and by the terms of the acquittance of Calvin F. Burnes also, but on account of the said acceptance the trustee must execute the purpose of the trust by paying over the money to the State whenever the fact of the passage of the two bills is certified to the trustee in the manner provided in the creation of the trust, or the trustee will, by failure or refusal so to do, itself become responsible for the full amount of the trust fund, and be compelled to pay the same over to the State. See sections 43, 259 and 260, vol. 1, second edition, of Perry on Trusts; see, also, *Lane vs. Ewing*, 31 Mo. Reports, p. 75; *Phillips vs. Franciscus et al.*, 52 Mo. Reports, 370.

I see no objection to the bills in form or matter, and therefore deem any suggestion on my part unnecessary.

I am, very respectfully,

Your obedient servant,

D. H. McINTYRE,

Attorney-General.

Which was read at length and, on motion of Senator Hutt, 300 copies were ordered printed, 225 for the use of the House and 75 for the Senate.

Senator Lloyd was excused from service on the Committee on Printing and Senator Manistre appointed in his place.

Senator Naylor was excused from service on the Committee on Retrenchment and Reform and Senator Manistre appointed in his stead.

Assistant Secretary Mayo was granted leave of absence until next Tuesday.

Senator Cottey submitted the following report from the Committee on Ways and Means :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 41, entitled "An act to appropriate money for the support of the State Government for the years 1881 and 1882," beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendments; which was read, and the following amendments offered by the committee, to wit:

Amendment No. 1, amend section 2, printed bill, line 3, by striking out the words and figures, "five hundred and sixty thousand dollars (\$560,000)," and by inserting in lieu thereof the words and figures to wit: "Seven hundred and fifty thousand dollars (\$750,000)"—was read first and second time and adopted.

Amendment No. 2, amend section 6, printed bill, lines 4 and 5, by striking out the words and figures, "sixty thousand dollars (\$60,000)," and by inserting in lieu thereof the words and figures, "fifty thousand dollars (\$50,000)"—read first and second time and adopted.

Amendment No. 3, amend section 6, printed bill, line 7, by striking out the words and figures, "thirty-five thousand dollars (\$35,000)," and by inserting in lieu thereof the words and figures, "thirty thousand dollars (\$30,000)"—read first and second time and adopted.

Amendment No. 4, amend section 6, printed bill, line 10, by striking out the words and figures, to wit: "Seventy-five thousand dollars

(\$75,000)," and by inserting in lieu thereof the words and figures, "seventy thousand dollars (\$70,000)"—read first and second time and adopted.

Amendment No. 5, amend section 6, printed bill, by striking out in lines 19 and 20, the words and figures to wit: "For the aid and support of the State University at Columbia, thirty-five thousand dollars (\$35,000)"—read first and second time and adopted.

Amendment No. 6, amend section 6, printed bill, in line 14, by inserting after the semicolon mark, the words and figures as follows, to wit: "For the aid and support of the State University at Columbia, thirty-five thousand dollars (\$35,000)"—read first and second time and adopted.

Amendment No. 7, amend section 6, printed bill, by striking out the words "southeast Missouri," in line 17, and by inserting after the words "of the," and before the word "normal," in line 17, the words "third district"—read first and second time and adopted.

Amendment No. 8, amend section 8, printed bill, by striking out lines 6, 7 and 8, and by inserting in lieu thereof in line 5, section 8, the words and figures, "and for legal counsel when necessary the sum of twelve thousand dollars (\$12,000)"—read first and second time and adopted.

Amendment No. 9, amend section 11, printed bill, by striking out in line 29, the words and figures, "one thousand dollars (\$1,000)," and inserting in lieu thereof the words and figures, "one thousand five hundred dollars (\$1,500); *Provided*, That not more than five hundred dollars (\$500) of that amount shall be used in purchasing and putting a time lock on the safe in Treasurer's office"—read first and second time and adopted.

On motion of Senator Cottey, the Senate took a recess until two o'clock p. m.

At two o'clock the President called the Senate to order.

Substitute for House bill No. 60 was taken up and read first time.

Senator Cabell introduced Senate joint and concurrent resolution No. 4, entitled "Joint and concurrent resolution urging Congress to aid the construction of a ship railway across the Isthmus of Tehuantepec"—which was read first and second time and 50 copies ordered printed.

On motion of Senator Cottey, the Senate resolved itself into a Committee of the Whole for the purpose of considering Senate bill No. 41, Senator Morrisson in the chair.

At half past four o'clock the committee arose, and Senator Morrisson submitted the following report from the Committee of the Whole:

MR. PRESIDENT: Your Committee of the Whole, to which was referred Senate bill No. 41, entitled "An act to appropriate money for the support of the State Government for the years 1881 and 1882," beg leave to report that they have had the same under consideration, and report the same back to the Senate with the recommendation that it do pass with the accompanying amendments.

The following amendment reported by the committee, read first and second time and adopted:

Amend section 6, printed bill, lines 12 and 13, by striking out the words and figures, "thirty thousand dollars (\$30,000)," and by inserting in lieu thereof the words and figures, "thirty-five thousand dollars (\$35,000); *Provided*, That not less than five thousand dollars (\$5,000) of that amount shall be expended in repairing and refurnishing said institution.

The following amendment as offered by the committee:

Amend section 12 by adding the following, viz: For refurnishing the Governor's Mansion, ten thousand dollars (\$10,000), to be expended for that purpose under the supervision of the Governor; which was read the first and second time, and the ayes and nays being demanded, the amendment was lost by the following vote:

AYES—Senators Bryant, Cabell, Dungan, Headlee, Heard, Hutt, Jacobs, McGrath, Mackay, Manistre, Morrisson, Naylor, Rogers, Stephens and Walker—15.

NOES—Senators Bradley, Burns, Bland, Caldwell, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heaston, Lloyd, McMahan, Mabrey, Manring and Pehle—16.

ABSENT ON LEAVE—Senator Rouse.

SICK—Senator Perkins.

The following amendment as reported by the committee:

Amend section 20 by striking out "ten thousand dollars (\$10,000)," and inserting "twenty thousand dollars (\$20,000)"—was read first and second time, and the ayes and nays being demanded, was adopted by the following vote:

AYES—Senators Burns, Bland, Cabell, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Jacobs, McGrath, Mabrey, Mackay, Manistre, Rogers and Walker—16.

NOES—Senators Bradley, Bryant, Caldwell, Cottey, DeArmond, Dobyns, Heaston, Hutt, Lloyd, McMahan, Morrisson, Naylor, Pehle and Stephens—14.

ABSENT ON LEAVE—Senators Rouse and Edwards of St. Charles—2.

SICK—Senator Perkins.

The bill was then ordered to engrossment.

On motion of Senator Rogers, the Senate adjourned until 10 o'clock to-morrow morning.

THIRTEENTH DAY—FRIDAY, January 21.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

The President laid before the Senate an account from D. Jannopoulos & Co. for one bunting flag, which was referred to the Adjutant General.

Senator Rogers made a motion to reconsider the vote by which Senate bill No. 41 was ordered engrossed.

Senator Edwards of St. Charles moved that the motion to reconsider be laid on the table; which was carried.

Senator Edwards of St. Charles, submitted the following reports from the Committee on Engrossed Bills, which were read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 8, entitled "An act to secure to the State the speedy settlement and payment of all sums of money due from Elijah Gates, late Treasurer of the State of Missouri,"

Beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 6, entitled "An act requiring the Governor to appoint a special committee of the General Assembly to visit and examine the Institutions of the State,"

Beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 9, entitled "An act to secure to the State of Missouri a priority of lien in the case of insolvent debtors to the State,"

Beg leave to report that they have compared the same, and find it truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Mackay introduced Senate bill No. 54, entitled "An act to amend section 6780, article 4, chapter 145, Revised Statutes, in relation to monthly statements and payments;" which was read first time and 50 copies ordered printed.

Senator Cabell introduced Senate bill No. 55, entitled "An act for the confinement of persons who may be indicted for homicide and acquitted on the plea of insanity;" which was read first time and 50 copies ordered printed.

Senator Headlee introduced Senate bill No. 56, entitled "An act to repeal sections 7087, 7088 and 7089, Revised Statutes, entitled 'Uniformity of text books;'" which was read first time and 50 copies ordered printed.

Senator Jacobs asked leave of absence for the Committee on Blind Asylum until Wednesday, January 26th; which was granted.

On second reading of bills,

Substitute for House bill No. 60 was taken up, read second time and referred to the Committee on Judiciary.

Substitute for Senate joint and concurrent resolution No. 4 was taken up, read second time and referred to the Committee on Federal Relations.

Senate bill No. 26 was taken up, read second time and referred to the Committee on Judiciary.

Senate bill No. 49 was taken up, read second time and referred to the Committee on Printing.

Senate bill No. 50 was taken up, read second time and referred to the Committee on Ways and Means.

Senate bill No. 51 was taken up, read second time and referred to the Committee on Penitentiary.

Senate bill No. 52 was taken up, read second time and referred to the Committee on Judiciary.

Senate bill No. 53 was taken up, read second time and referred to the Committee on Judiciary.

Senate bill No. 6, entitled "An act requiring the Governor to appoint a special committee of the General Assembly to visit and examine the institutions of the State," was taken up, read third time and passed by the vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—33.

The title of the bill was read and agreed to.

Senator Cottey moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 8, entitled "An act to secure to the State the speedy settlement and payment of all sums of money due from Elijah Gates, late Treasurer of the State of Missouri," was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Byrns, Bland, Caldwell, Cottey, Dobyns, Edwards of Lafayette, Edwards of St. Charles, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, Mabrey, Mackay, Manring, Morrisson, Naylor, Perkins, Rouse, Stephens and Walker—23.

NOES—Senators Bryant, DeArmond, Dungan, Gottschalk, Headlee, Manistre, Pehle and Rogers—8.

ABSENT—Senators Cabell and McMahan—2.

Senator Heaston moved a call of the Senate, which was agreed to, and the roll being called the following Senators answered to their names:

Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—32.

ABSENT—Senator McMahan.

Senator Morrisson moved that the further proceedings under the call of the Senate be dispensed with; which was carried.

The question then recurring upon the emergency clause of the bill, it was passed by the following vote:

AYES—Senators Bradley, Byrns, Bland, Cabell, Caldwell, Cottey,

Dobyns, Edwards of Lafayette, Edwards of St. Charles, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, Mabrey, Mackay, Manring, Morrisson, Naylor, Perkins, Rogers, Rouse, Stephens and Walker—25.

NOES—Senators Bryant, DeArmond, Dungan, Gottschalk, Headlee, Manistre and Pehle—7.

ABSENT—Senator McMahan.

The title of the bill was then read and agreed to.

Senator Morrisson moved to reconsider the vote by which the bill passed.

Senator Bradley moved to lay the motion to reconsider on the table; which was carried.

Senate bill No. 9, entitled "An act to secure to the State of Missouri a priority of lien in the case of insolvent debtors to the State," was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Byrns, Bland, Cabell, Cottey, Dobyns, Edwards of Lafayette, Edwards of St. Charles, Heard, Heaston, Hutt, Lloyd, McGrath, Mabrey, Mackay, Manring, Morrisson, Naylor, Perkins, Rouse, Stephens and Walker—23.

NOES—Senators Bryant, DeArmond, Dungan, Gottschalk, Headlee, Jacobs, McMahan, Manistre, Pehle and Rogers—10.

The question then recurring on the emergency clause of said bill, it was adopted by the following vote:

AYES—Senators Bradley, Byrns, Bland, Cabell, Caldwell, Cottey, Dobyns, Edwards of Lafayette, Edwards of St. Charles, Heard, Heaston, Hutt, Lloyd, McGrath, Mabrey, Mackay, Manring, Morrisson, Naylor, Perkins, Rogers, Rouse, Stephens and Walker—24.

NOES—Senators Bryant, DeArmond, Dungan, Gottschalk, Headlee, Jacobs, McMahan, Manistre and Pehle—9.

Title of the bill was read and agreed to.

Senator Morrisson moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

The Secretary reported Senate bills Nos. 6, 8 and 9 to the House.

Senator Dobyns introduced Senate bill No. 57, entitled "An act to amend sections 5371, 5372 and 5407, article 4, chapter 95, of the Revised Statutes of Missouri, entitled 'Of counties,'" which was read and 50 copies ordered printed.

Senator Morrisson introduced Senate bill No. 58, entitled "An act to amend sections 1307 and 1308, art. 3, of the Revised Statutes, 'Of crimes against public and private property,'" which was read and 50 copies ordered printed.

Senator Lloyd called up the special order, being the report of the special Committees on Elections, in relation to Mr. T. G. Allen, of the 27th senatorial district.

Senator Gottschalk moved the adoption of the report.

Pending consideration, on motion of Senator Cottey, the Senate took a recess until 2 o'clock P. M.

AFTERNOON SESSION.

Senate met pursuant to a recess taken.

President in the chair.

A quorum present.

The Senate resumed consideration of the report of the special Committee on Elections.

On motion of Senator Cottey Senator Heard was granted leave of absence for to-day.

On motion of Senator Cabell, Senators McGrath and Naylor were granted leave of absence until Monday.

The question recurring upon the adoption of the report of the special Committee on Elections, and the ayes and noes being demanded, it was adopted by the following vote:

AYES—Senators Bryant, Cabell, Caldwell, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Hutt, Jacob, Lloyd, McMahan, Mabry, Manistre, Manning, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—23.

NOES—Senators Bradley, Byrns, Bland, Cottey, Heaston and Morrisson—6.

ABSENT—Senator Mackay.

ABSENT ON LEAVE—Senators Heard, McGrath and Naylor—3.

Mr. Thomas G. Allen being present came forward, took and subscribed the oath of office, and took his seat as a Senator.

Senator Heard was excused from service on the Committee on Accounts; Senator Cottey from the Committee on County Boundaries, and Senator Cabell from the Committee on Claims, and Senator Allen was by the President appointed in their stead on each of said committees.

Senator Mackay introduced Senate bill No. 59, entitled "An act to amend subdivisions 9 and 10 of sec. 6785, chap. 145, Revised Statutes,

in relation to collectors' commissions," which was read and 50 copies ordered printed.

Upon motion of Senator Edwards of St. Charles, the Senate adjourned until to morrow-morning at 10 o'clock.

FOURTEENTH DAY—SATURDAY, January 22.

MORNING SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

Senator Edwards of St. Charles submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 41, entitled "An act to appropriate money for the support of the State Government for the years 1881 and 1882," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Morrisson introduced Senate bill No. 60, entitled "An act to authorize the issue and sale of Renewal Revenue bonds for the purpose of meeting and redeeming outstanding Revenue bonds falling due in the year 1881, which was read first time and 50 copies ordered printed.

Senator Morrisson introduced Senate bill No. 61, entitled "An act to amend an act, entitled 'An act to enable counties, cities, townships and towns to fund all or any part of their bonded debt and unpaid subscriptions to the capital stock of any railroad company, after first submitting the same to a vote of the qualified voters thereof, and to create a sinking fund for the payment of such funded indebtedness, and repealing certain acts, approved March 27, 1875, April 12, 1877, and

April 14, 1877, and all other acts and parts of acts inconsistent with this act, approved May 16, 1879;” which was read first time and 50 printed.

On motion of Senator Bryant, Senator Heard was granted leave of absence for to-day.

Senator Dungan introduced Senate bill No. 62, entitled “An act to amend section 2732, chapter 42, of the Revised Statutes of Missouri, entitled ‘Of judgments;’” which was read first time and 50 copies ordered printed.

Senator Cabell introduced joint and concurrent resolution No. 5, in relation to printing ordered by the General Assembly; which was read first time and 50 copies ordered printed.

Senator Morrison introduced joint and concurrent resolution No. 6, authorizing and instructing the committee appointed by the Governor to settle with the Auditor and Treasurer, to cancel vouchers, destroy warrants, etc.; which was read first time and 50 copies ordered printed.

On the third reading of Senate bills, Senate bill No. 41, entitled “An act to appropriate money for the support of the State Government for the years 1881 and 1882,” was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Hutt, Jacobs, Lloyd, McMahan, Manistre, Manring, Morrisson, Pehle, Perkins, Rogers, Rouse and Stephens—26.

ABSENT—Senators Bradley, Heaston, Mabrey, Mackay and Walker—5.

ABSENT ON LEAVE—Senators Heard, McGrath and Naylor—3.

Senator Cottey moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Edwards of St. Charles moved that the Senate adjourn till Monday, 10 o'clock. Carried.

FIFTEENTH DAY—MONDAY, January 24.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of Saturday read and approved.

Senators Bradley and Edwards of St. Charles, were granted leave of absence until Wednesday.

Senator Pehle granted leave of absence one day.

Senator Heaston reported sick.

Senator Stephens presented a petition from citizens of Boone county, Mo., in regard to the assessment and collection of the revenue; which was referred to the Committee on retrenchment and Reform.

Senator Rogers presented a petition from Virginia L. Minor, Mrs. J.B. Buckley, Eliza Buckley Ingalls, and others, praying for an amendment to the Constitution of the State of Missouri, so that it may conform to the bill of rights; which was referred to the Committee on Constitutional Amendments.

Senator Cabell introduced the following resolution, which was read first and second times and adopted :

WHEREAS, Information contained in reports and documents ordered by the Senate to be printed, is essential to intelligent legislation on the subjects to which they relate ; and,

WHEREAS, This information cannot be obtained by Senators, for the reason that all these documents have been and now are in the hands of the printer ; and,

WHEREAS, By the rules of the Senate, bills and joint resolutions introduced into the Senate are required to be printed before they can be referred to appropriate committees ; and,

WHEREAS, The printing of such bills and resolutions has been unreasonably delayed, thus hindering and temporarily suspending the most important business of the Senate ; therefore, be it

Resolved, That the Senate Committee on State Printing be and they are hereby authorized, instructed, directed and required to im-

mediately take such steps as will secure and insure the speedy and prompt printing, for the use of the Senate, of all resolutions, bills and documents of every kind ordered to be printed by the Senate.

Senator Dungan introduced Senate bill No. 63, entitled "An act to repeal section 1209, article 6, of chapter 23 of the Revised Statutes of Missouri, entitled 'Of courts of record;'" which was read and 50 copies ordered printed.

Senator DeArmond, Chairman of the Committee on Judiciary, introduced Senate bill No. 64, entitled "An act to provide for the making of settlements with the State Auditor and State Treasurer, and the examination of the condition and affairs of State offices generally, the Governor's excepted, in cases where such settlement has not been or shall not be reported to and acted upon by the General Assembly, as required by law; which was read and 50 copies ordered printed.

Senator Lloyd introduced Senate bill No. 65, entitled "An act to amend section 4358, article 2 of chapter 87 of the Revised Statutes of Missouri, entitled 'Of the restraint of diseased and Texas cattle;'" which was read and 50 copies ordered printed.

Senator Rogers introduced Senate bill No. 66, entitled "An act to amend section 7631, article 1 of chapter 164 of the Revised Statutes, entitled 'Of the State treasury;'" which was read and 50 copies ordered printed.

On second reading of bills:

Senate bill No. 25 was taken up, read second time and referred to the Committee on Insurance.

Senate bill No. 27 was taken up, read second time and referred to the Committee on Judiciary.

Senate bill No. 29 was taken up, read second time and referred to the Committee on Judiciary.

Senate bill No. 30 was taken up, read second time and referred to the Committee on Roads and Highways.

Senate bill No. 31 was taken up, read second time and referred to the Committee on Immigration.

Senate bill No. 59 was taken up, read second time and referred to the Committee on Ways and Means.

The President announced the appointment of Senators Bryant, DeArmond, Heard, Heaston and Morrisson as the Committee on Senatorial and Representative apportionment.

Senator Cabell was granted leave of absence until Thursday.

On motion of Senator Lloyd, the Senate adjourned until to-morrow morning at 10 o'clock.

SIXTEENTH DAY—TUESDAY, January 25.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

Senator Dobyns, from the Committee on Constitutional Amendments, reported the following resolution, which was read first and second times and adopted:

Resolved, That the Clerk of the Supreme Court be and he is hereby requested to furnish the Senate with the following information from the records in his office, at as early a day as possible:

1st. The number of cases upon the docket of said court at the time of the consolidation of its different branches in 1876.

2d. The number of cases brought into said court by such consolidation.

3d. The number of cases which have been entered upon said docket each year since such consolidation, and what number of the same were criminal cases and what number extraordinary writs.

4th. The number of cases disposed of by said court each year since such consolidation, and what number of the same were criminal cases and what number extraordinary writs.

5th. The number of cases now standing upon said docket, and what number of the same are criminal cases and what number extraordinary writs.

Senator Morrison introduced Senate bill No. 67, entitled "An act to revise and amend chapter 150 of the General Statutes of Missouri, 'Of schools ;'" which was read first time and 50 copies ordered printed in pamphlet form.

Senator Walker introduced Senate bill No. 68, entitled "an act to provide for the public printing, and to elect a public printer;" which was read first time and 50 copies ordered printed.

Senator Heaston introduced Senate bill No. 69, entitled "An act in reference to printing, binding and stationery for the State;" which was read first time and ordered not printed.

Senator Edwards of St. Charles presented a memorial from Oakland Grange, which was referred to the Committee on Retrenchment and Reform.

On second reading of bills :

Senate joint and concurrent resolution No. 5 was taken up, read first time and referred to the Committee on Printing.

Senate bill No. 33 was taken up, read second time and referred to the Committee on Criminal Jurisprudence.

Senate bill No. 35 was taken up, read second time and referred to the Committee on Judiciary.

Senate bill No. 40 was taken up, read second time and referred to the Committee on Criminal Jurisprudence.

Senate bill No. 43 was taken up, read second time and referred to Committee on Judiciary.

Senate bill No. 44 was taken up, read second time and referred to Committee on Roads and Highways.

Senate bill No. 46 was taken up, read second time and referred to Committee on Judiciary.

Senate bill No. 56 was taken up, read second time and referred to Committee on Education.

Senate bill No. 58 was taken up, read second time and referred to Committee on Criminal Jurisprudence.

On motion of Senator Dobyys, the Senate took a recess until 2 o'clock P. M.

AFTERNOON SESSION.

Senate met pursuant to recess taken.

The President in the chair.

A quorum present.

Senator Dobyms offered the following resolution :

Resolved, That all bills and resolutions introduced in the Senate and required to be printed, shall be printed and distributed among the members in the order in which they are numbered, unless otherwise ordered by the Senate; which was read first and second times and adopted.

On second reading, Senate joint and concurrent resolution No. 6 was taken up, read the second time and referred to Committee on Ways and Means.

Senate bill No. 54 was taken up read the second time and referred to Committee on Ways and Means.

Senate bill No. 65 was taken up, read second time and referred to Committee on Judiciary.

The following messages were received from the House of Representatives through Mr. Hawley, Chief Clerk :

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up, read third time and passed House joint and concurrent resolution No. 3, "In relation to the sale or giving away of leaf tobacco, as affected by the revenue laws of the United States," in which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up, read third time and passed substitute for House bill No. 102, entitled "An act to amend section 7103 Revised Statutes, relating to school funds," in which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up, read third time and passed substitute for House bill No. 30, entitled "An act to amend section 2884, article 5, chapter 44 of the Revised Statutes of Missouri, 'Of replevin,'" in which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up, read third time and passed with emergency clause attached thereto House bill No. 1, entitled "An act relating to street railroads," in which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up, read first and second times and adopted Senate joint resolution in relation to the joint rules of both houses.

House bill No. 1, entitled "An act relating to street railroads," was taken up and read first time.

House joint and concurrent resolution No. 3, "In relation to the sale or giving away of leaf tobacco as affected by the revenue laws of the United States," was taken up and read first time.

Substitute for House bill No. 102, entitled "An act to amend section 7103 Revised Statutes, relating to county school funds," was taken up and read first time.

On motion of Senator Mackay, the Senate adjourned until ten o'clock to-morrow morning.

SEVENTEENTH DAY—WEDNESDAY January 26.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

Senator Pehle introduced Senate bill No. 70, entitled "An act to amend section 5429, ceapter 97 of the Revised Statutes of Missouri, entitled 'Of dogs;'" which was read first time and 50 copies ordered printed.

Senator Walker introduced Senate bill No. 71, entitled "An act authorizing judges of probate courts to complete records which their prodecessors have left unfinished, and to provide their compensation therefor;" which was read first time and 50 copies ordered printed.

Senator Naylor introduced Senate bill No. 72, entitled "An act to amend chapter 119 of the Revised Statutes, entitled 'Of insurance,' by providing for the imposition and collection of fines and penalties;" which was read first time and 50 copies ordered printed.

Senator Morrisson introduced Senate bill No. 73, entitled "An act to appropriate money for the redemption of certain Union Military Bonds;" which was read first time and 50 copies ordered printed.

Senator DeArmond introduced Senate bill No. 74, entitled "An act to amend section 640, chapter 17 of the Revised Statutes of Missouri, entitled 'Of commissioners of deeds,'" which was read first time and 50 copies ordered printed.

Senator DeArmond introduced Senate bill No. 75, entitled "An act to amend section 3665 of the Revised Statutes of Missouri concerning abatement and revival of suits;" which was read first time and 50 copies ordered printed.

Senator DeArmond introduced Senate bill No. 76, entitled "An act to amend sections 5614 and 5622, chapter 103, Revised Statutes of Missouri, regarding the fees of constables and justice of the peace;" which was read first time and ordered not printed.

Senator Morrisson submitted the following report from the Committee on Ways and Means:

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate joint and concurrent resolution, entitled "Joint and concurrent resolution authorizing and instructing the committee appointed by the Governor to settle with the Auditor and Treasurer to cancel vouchers and destroy warrants in the Auditor's and Treasurer's offices," beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported, being Senate joint and concurrent resolution No. 6, was taken up, and Senator DeArmond offered the following amendment:

Amend Senate joint and concurrent resolution No. 6, by striking out the following words and figures commencing in the seventh line, printed bill: "And that said committee proceed to cancel all vouchers for moneys drawn from the Treasury for the years 1877 and 1878, and that they destroy all warrants paid by the Treasurer and yet remaining in his office for said years, for the reason that the report of the committee selected by the Governor to make settlement with said officers and to cancel vouchers and destroy warrants drawn thereon for said years 1877 and 1878, was not approved by the Thirtieth General Assembly;" which was read first and second times, and, pending consideration, on motion of Senator Morrisson, the bill and amendment were laid over informally.

Senator Rouse submitted the following report from the Committee on Privileges and Elections:

MR. PRESIDENT: Your Committee on Privileges and Elections, to whom was referred Senate bill No. 5, entitled "An act to repeal an act entitled 'An act to provide for the exercise of the right of voting by

persons who have failed to register;" beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported, being Senate bill No. 5, was taken up and ordered engrossed.

On second reading of Senate bills, Senate bill No. 45 was taken up, read a second time and referred to the Committee on Criminal Jurisprudence.

Senate bill No. 69 was taken up, read a second time and referred to the Committee on Printing.

Substitute for House bill No. 30 was taken up, and read a first time.

A message was received from the Governor, through his private Secretary, Mr. Farr.

The President laid before the Senate a communication from the jailor of St. Louis city; which was referred to the Committee on Criminal Jurisprudence.

Senator Bradley was granted leave of absence.

Senator Hutt introduced Senate bill No. 77, entitled "An act to amend section 2689, chapter 39 of the Revised Statutes, entitled 'Of Homesteads;'" which was read first time and 50 copies ordered printed.

On second reading of House bills, House bill No. 1 was taken up, read a second time and referred to the Committee on Judiciary.

House joint and concurrent resolution No. 3, to the Committee on Federal Relations.

Substitute for House bill No. 102 was taken up, read a second time, and Senator Pehle offered the following amendment:

Amend by adding the following proviso to section 7103, to wit: "*Provided*, That the county court, if they deem advisable, can at any time, invest any portion of said school fund in United States bonds or bonds of the State of Missouri; said bonds to be held in trust for the township to which the fund belonged, and to be so expressed upon the public records of the county."

Pending further consideration, the bill and amendment were referred to the Committee on Education.

Senator DeArmond submitted the following report from the Committee on Judiciary:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 17, entitled "An act respecting the probate court in the county of Jackson," beg leave to report that they have considered the same, and recommend that the following amendment be adopted, and make no further recommendation.

The bill so reported, being Senate bill No. 17 was taken up, and the following amendment offered by the committee:

"Amend by striking out section 2, and numbering section 3 section 2;" was read first and second times and adopted, and the bill ordered engrossed.

At 10 A. M. the Senate went into executive session..

At 10:50 the Senate resumed its regular session.

Senator Manistre moved to reconsider the vote by which House bill No. 1 was referred to the Committee on Judiciary; which was adopted.

The bill was then taken up, and referred to the Committee on Internal Improvements.

A message was received from the Governor, through his private Secretary, Mr. Farr.

Senator Walker presented a report of the Board of Curators of the State University which was laid upon the table, and 2,000 copies ordered printed, 1,000 for the appendix, 500 for the use of the Senate, and 500 for the use of the University.

On motion of Senator Mackay, at 11:05 the Senate went into executive session.

At 11:30 the Senate resumed its regular session.

On motion of Senator Morrisson, the Senate adjourned until tomorrow morning at 10 o'clock.

EIGHTEENTH DAY—THURSDAY, January 27.

The Senate met pursuant to adjournment.

The President in the chair.

Prayer by the Chaplain.

A quorum present.

The journal of yesterday was read and approved.

The President laid before the Senate the following communication from the Clerk of the Supreme Court, which was read and 300 copies thereof, together with the statement accompanying the same, ordered printed for the use of the Senate and House of Representatives:

HON. ROBERT A. CAMPBELL, *President of the Senate*:

SIR: In compliance with resolution of the Senate requesting information as to the number of cases standing on the docket of the Supreme Court at the time of the consolidation of said court, the number of cases docketed and the number disposed of each year since said consolidation, and the number of cases now remaining on said docket, I have the honor to submit to your honorable body the following statement.

I have the honor to be, very respectfully,

HENRY W. EWING,

Clerk of the Supreme Court of Missouri.

Senator Gottschalk presented the following communication from the St. Louis Mutual Fire and Marine Insurance Company, which was read and referred to the Committee on Insurance.

To the Honorable the General Assembly of the State of Missouri in session at the City of Jefferson, Missouri:

GENTLEMEN: In conformity with the provision of section 24 of our charter of incorporation we hereby submit to your honorable body our biennial statement, exhibiting the affairs of our company to December 31, 1880.

Respectfully submitted,

JOHN J. SUTTON, Secretary.

Senator Hutt introduced Senate bill No. 78, entitled "An act to exempt the husband from the payment of debts of the wife contracted

before marriage;" which was read first time and 50 copies ordered printed.

Senator Pehle introduced Senate bill No. 79, entitled "An act to amend article 2, chapter 145 of the Revised Statutes of Missouri, by adding a new section thereto in relation to the revenue;" which was read first time and 50 copies ordered printed.

Senator Heaston introduced Senate bill No. 80, entitled "An act authorizing the Adjutant-General to secure the adjustment and settlement of claims of this State against the United States for military services performed by the military forces of this State in suppressing the rebellion;" which was read first time and 50 copies ordered printed.

Senator Dungan introduced Senate bill No. 81, entitled "An act to repeal chapter 100 of the Revised Statutes of Missouri, 'Of druggists and their licenses;'" which was read first time and 50 copies ordered printed.

Senator Lloyd introduced Senate bill No. 82, entitled "An act providing for taxing State bonds;" which was read first time and 50 copies ordered printed.

Senator Byrns introduced Senate bill No. 83, entitled "An act to appropriate money to pay Mrs. Kate C. Mitchell of Jefferson county for certain outstanding Union Military Bonds and to provide for the cancellation of the same;" which was read first time and 50 copies ordered printed.

Senator Morrisson introduced Senate bill No. 84, entitled "An act to consolidate the permanent school fund and the seminary fund in certificates of indebtedness of the State bearing six per cent. interest, and to provide for canceling the State bonds and certificate of indebtedness now held by the State in trust for said funds," which was read first time and 50 copies ordered printed.

Senators Bradley and Caldwell were granted leave of absence for one day.

Senator Heaston, from the Committee on Printing, offered the following resolution, which was read first and second time and adopted:

Resolved, That the printer be instructed to print all bills for the Senate in pamphlet form unless otherwise directed.

A message was received from the Governor through his Private Secretary, Mr. Farr.

Senator Rogers submitted the following report from the Committee on State Lands:

MR. PRESIDENT: Your Committee on State Lands, to whom was referred the communication of the State Auditor in relation to erroneous sale of a certain tract of land therein described, beg leave to report that they have examined the same, together with the records in the office of the Register of Lands, and find that the facts set forth in said report are true, to wit: That the State of Missouri did on the 31st day of May, A. D. 1853, sell the tract of land described in said report, to James R. Lindley of Dade Co., Mo.; and that subsequently, on the 12th day of August, A. D. 1857, did again sell the same tract of land to Alexander H. Henderson, of Callaway county, Mo., and that by reason of said sale and grant of letters patent to James R. Lindley, the title of Alexander H. Henderson was rendered null and void. Your committee further find that by reason of the facts above stated, and contained in the communication of the State Auditor, above referred to, that the heirs of the said Alexander H. Henderson, now deceased, are entitled to relief as provided in section 6160 of the Revised Statutes, and herewith submit a bill providing for the same.

Senator Rogers, from the Committee on State Lands, introduced Senate bill No. 85, entitled "An act for the relief of the heirs of Alexander H. Henderson;" which was read first time and 50 copies ordered printed.

On second reading of bills, the following were taken up and read second time and referred:

Senate bill No. 35; referred to Committee on Retrenchment and Reform.

Senate bill No. 37; referred to Committee on Judiciary.

Senate bill No. 47; referred to Committee on Judiciary.

Senate bill No. 57; referred to Committee on Judiciary.

Senate bill No. 61; referred to Committee on Ways and Means.

Senate bill No. 76; referred to Committee on Retrenchment and Reform.

Senate bill No. 28; referred to Committee on Agriculture.

Senate joint and concurrent resolution No. 6 was taken up, the amendment offered by Senator DeArmond on yesterday was adopted and the bill, as amended, ordered engrossed.

Substitute for House bill No. 30 was taken up, read second time and referred to the Committee on Judiciary.

On motion of Senator Dungan, the Senate went into executive session at 11 o'clock.

At 11:10 the Senate resumed its regular session.

Senator Byrns offered the following resolution, which was read :

Resolved, That Hon. Robert G. Coleman, contestant in the contested election case of Coleman, contestant, against Allen, contestee, be allowed the sum of \$250 to defray his actual expenses in said contest :

Senator Lloyd moved to lay the resolution on the table, which motion prevailed by the following vote, the ayes and noes being demanded :

AYES—Senators Bryant, Bland, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Manring, Phele, Rogers, Rouse and Stephens—22.

NOES—Senators Burns, Cabell, Cottey, Edwards of St. Charles, Mackay, Manistre, Morrisson, Naylor and Walker—9.

ABSENT ON LEAVE—Senators Caldwell and Perkins—2.

SICK—Senator Bradley.

On motion of Senator Mackay the Senate adjourned until to-morrow morning at 10 o'clock.

NINETEENTH DAY—FRIDAY, January 28.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Rev. T. W. Barrett.

The journal of yesterday was read and approved.

Senator Naylor introduced Senate joint and concurrent resolution No. 7, entitled "Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to procure all necessary legislation to grant to the St. Louis and San Francisco Rail-

way Company the right of way for its Railroad through the Choctaw Nation in the Indian Territory;" which was read first time and ordered not printed.

Senator Cottey presented a petition from the citizens of Edina, Knox county, Missouri, asking for a constitutional amendment in favor of the resolution to submit the question of changing the State Capital to a vote of the people; which was referred to Committee on Constitutional Amendments.

Senator Heard introduced Senate bill No. 86, entitled "An act to authorize the Governor and Attorney-General, in their discretion, to employ an agent to prosecute certain claims of the State against the United States; which was read first time and 50 copies ordered printed.

Senator Cabell introduced Senate bill No. 87, entitled "An act to encourage immigration to the State of Missouri;" which was read first time and 50 copies ordered printed.

Senator Stephens introduced Senate bill No. 88, entitled "An act providing for, and authorizing the settlement and collection of an outstanding and unsettled claim held by the State of Missouri against the government of the United States, for expenditures incurred by this State in enrolling, equipping, subsisting and paying the militia forces of the State, employed in suppressing the rebellion, and which has never been reimbursed to the State and appropriating whatever sums may be collected on such claim to purposes of education;" which was read first time and 50 copies ordered printed.

Senator McMahan submitted the following report from the Committee on Agriculture:

MR. PRESIDENT: Your Committee on Agriculture to whom was referred Senate bill No. 28, entitled "An act to discourage the keeping of useless and sheep-killing dogs, and to provide indemnity for damages done by same," beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill so reported, being Senate bill No. 28, was taken up, and Senator Rouse offered the following amendment:

Amend section 6 of the printed bill, by adding the following: "If for any cause, a constable can not be had to serve the process, the justice may empower some suitable person to act, who shall receive the same fees allowed to constables for like services;" which was read first and second times and adopted.

Senator Rouse offered the following amendment:

Amend section 7 by inserting the word "civil" after the word "other," at the end of line two of the printed bill; which was read first

and second times and adopted, and the bill as amended ordered engrossed.

On second reading of Senate bills, the following were taken up read the second time and referred :

Senate bill No. 36; to Committee on Ways and Means.

Senate bill No. 38; to Committee on Ways and Means.

Senate bill No. 39; to Committee on Internal Improvements.

Senate bill No. 42; to Committee on Roads and Highways.

Senate bill No. 51; to Committee on Penitentiary.

Senator Cabell moved to reconsider the vote by which Senate bill No. 5 was ordered engrossed, which was lost.

The following messages from the House were received through Mr. Hawley, Chief Clerk :

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed substitute for House bills Nos. 19, 29, 36, 42, 50, 52, 72, 80 and 129, entitled "An act to amend sections 6685, 6688, 6695, 6699, 6705, 6707, 6716, 6717 and 6718, article 2, chapter 145 of the Revised Statutes, entitled 'Assessors and the assessment of property,' " in which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed the following House bills :

Substitute for House No. 9, entitled "An act to amend section five thousand six hundred and twenty, Revised Statutes :"

Also, House bill No 177, entitled "An act to amend section nine hundred and seventy-four, chapter twenty-one, article ten of the Revised Statutes of Missouri, 'Of benevolent, religious, scientific, educational and miscellaneous associations :'"

Also, substitute for House bill No. 38, entitled "An act to amend section 3742, article 11, chapter 59 of the Revised Statutes of Missouri, 'Practice in civil cases ;'" in which the concurrence of the Senate is respectfully requested.

A message was received from the Governor through his private Secretary, Mr. Farr.

On first reading of House bills, substitute for House bill No. 9, House bill No. 177, substitute for House bill No. 38, and substitute for House bills Nos. 19, 29, 36, 42, 50, 52, 72, 80 and 129 were taken up and read first time.

Senator DeArmond submitted the following report from the Committee on Judiciary :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred substitute for House bill No. 60, entitled "An act to amend sections five hundred and ninety-one (591) and five hundred and ninety-two (592), article one (1), chapter thirteen (13) of the Revised Statutes of Missouri, 'Of official bonds,'" beg leave to report that they have considered the same, and recommend that it do not pass.

The bill so reported, being substitute for House bill No. 60, was taken up, and Senator DeArmond moved that the further consideration of the bill be indefinitely postponed, which motion was passed over informally.

At 10:40 o'clock, on motion of Senator Jacobs, the Senate went into executive session.

At 10:50 o'clock the Senate resumed its regular session.

Senators Bryant and McGrath were granted leave of absence until Monday.

Senator Mabrey was granted leave of absence for six days.

Senator Perkins was reported sick.

Senator Edwards of St. Charles moved that when the Senate adjourn, it adjourn until to-morrow morning at 10 o'clock. Carried.

On motion of Senator Edwards of St. Charles, the Senate adjourned.

TWENTIETH DAY—SATURDAY, January 29.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

The President laid before the Senate a communication from the Hon. James McGrath, in relation to furniture for the Senate Chamber; which was referred to the Committee on Permanent Seat of Government.

Senator Cabell presented a memorial from the grand jury of St. Louis; which was referred to the Committee on Criminal Jurisprudence.

Senator Cottey offered the following resolution, which was read first and second time and adopted:

Resolved, That the President appoint a committee of three Senators to co-operate with a similar committee from the House of Representatives for the purpose of making necessary arrangements for the reception of the Hon. E. B. Washburne, on the 2d proximo.

Senator Rouse introduced Senate bill No. 89, entitled "An act to amend section 1215, article 6, chapter 23, Revised Statutes, entitled 'Of courts of record;'" which was read first time and 50 copies ordered printed.

Senator Headlee introduced Senate bill No. 90, entitled "An act in relation to the sale of intoxicating liquors, and to repeal chapter 100 of the Revised Statutes, and all other acts or parts of acts inconsistent with its provisions;" which was read first time and 50 copies ordered printed.

Senator Lloyd introduced Senate bill No. 91, entitled "An act to amend sections 7169 and 7171, chapter 150, article 3 of the Revised Statutes of 1879, entitled 'Normal Schools;'" which was read first time and 50 copies ordered printed.

Senator Heaston submitted the following report from the Committee on Federal Relations:

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate joint and concurrent resolution No. 2, entitled "Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to use all means in their representative capacity to establish an efficient territorial government in the Indian Territory, and to open the public lands in said Territory, belonging to the government, to settlement under the homestead and pre-emption laws of the United States," beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate joint and concurrent resolution No. 2 was taken up and ordered engrossed.

Senator Heaston submitted the following report from the Committee on Federal relations:

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred House joint and concurrent resolution No. 3, entitled "Joint and concurrent resolution in relation to the sale or giving away of leaf tobacco, as affected by the revenue laws of the United States," beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House joint and concurrent resolution No. 3, entitled "House joint and concurrent resolution in relation to the sale or giving away of leaf tobacco as affected by the revenue laws of the United States, was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottscholk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McMahan, Mackay, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—29.

ABSENT—Senator Allen.

ABSENT ON LEAVE—Senators Bryant, McGrath, Mabrey and Manistre—4.

The title of House joint and concurrent resolution No. 3 was read and agreed to.

Senator Heaston moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table, which latter motion prevailed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 13, entitled "An act to repeal section 1804 of the Revised Statutes of Missouri," beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment; which was read.

Senate bill No. 13, entitled "An act to repeal section 1804 of the Revised Statutes of Missouri, concerning 'crimes and criminal procedure,'" was taken up, and the following amendment reported by the committee—amend by striking out the title of the bill and inserting in lieu thereof the following: "An act to repeal section 1804 of article 15, chapter 24 of the Revised Statutes of the State of Missouri, concerning 'crimes and criminal procedure'"—read first and second time and adopted, and the bill, as amended, ordered engrossed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 33, entitled "An act to amend sections 1900, 1902 and 1904, article 18, chapter 24 of the Revised Statutes entitled 'Of crimes and criminal procedure,'" beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

The bill so reported, being Senate bill No. 33, entitled "An act to amend sections 1900, 1902 and 1904, article 18, chapter 24, of the Revised Statutes, entitled 'Of crimes and criminal procedure,'" was taken up, and, on motion of Senator Edwards of St. Charles, indefinitely postponed.

Senator Walker submitted the following report from the Committee on Permanent Seat of Government, which was read and adopted :

MR. PRESIDENT: Your Committee on Permanent Seat of Government, to whom was referred a letter in regard to the purchase of chairs for the Senate Chamber, beg leave to report that they have considered the same, and recommend that the chairs costing \$9 each be the ones to be purchased.

On the second reading of Senate bills, the following bills were taken up, read the second time and referred :

Senate bill No. 72, entitled "An act to amend chapter 119 of the Revised Statutes, entitled 'Of insurance,' by providing for the imposition and collection of fines and penalties;" referred to the Committee on Insurance.

Senate bill No. 81, entitled "An act to repeal chapter 100 of the Revised Statutes of Missouri, 'Of druggists and their licenses,'" was taken up, read second time and referred to the Committee on Criminal Jurisprudence.

Senate bill No. 32, entitled "An act to revise and amend chapter 145 of the Revised Statutes of Missouri, entitled 'Of the assessment and collection of the revenue,'" was taken up, read second time and referred to Committee on Ways and Means.

Senate bill No. 74, entitled "An act to amend section 640, chapter 17 of the Revised Statutes of Missouri, entitled 'Of commissioners of deeds,'" was taken up, read second time and referred to Committee on Judiciary.

Senate bill No. 70, entitled "An act to amend section 5429, chapter 97 of the Revised Statutes of Missouri, entitled 'Of dogs,'" was taken up, read second time and referred to Committee on Agriculture.

Senate bill No. 75, entitled "An act to amend section 3665 of the Revised Statutes of Missouri, concerning 'Abatement and revival of suits,'" was taken up, read second time and referred to Committee on Judiciary.

Senate bill No. 71, entitled "An act authorizing judges of probate courts to complete records which their predecessors have left unfinished, and to provide their compensation therefor," was read second time and referred to Committee on Judiciary.

Senate bill No. 78, entitled "An act to exempt the husband from payments of debts of wife contracted before marriage," was taken up, read second time and referred to the Committee on Judiciary.

Senate bill No. 66, entitled "An act to amend section 7631, article 1 of chapter 164 of the Revised Statutes, entitled 'Of the State Treasury,'" was taken up, read second time and referred to Committee on Ways and Means.

Senate bill No. 55, entitled "An act for the confinement of persons who may be indicted for homicide and acquitted on the plea of insanity," was taken up, read second time and referred to Committee on Criminal Jurisprudence.

Senate bill No. 63, entitled "An act to repeal section 1209, article 6 of chapter 23 of the Revised Statutes of Missouri, entitled 'Of courts of record,'" was taken up, read second time and referred to Committee on Judiciary.

Senate bill No. 62, entitled "An act to amend section 2732, chapter 42 of the Revised Statutes of Missouri, entitled 'Of judgments,'" was taken up, read second time and referred to Committee on Judiciary.

Senate bill No. 60, entitled "An act to authorize the issue and sale of Renewal Revenue bonds, for the purpose of meeting and redeeming outstanding Revenue bonds falling due in the year 1881," was taken up, read second time and referred to Committee on Ways and Means.

Senate bill No. 64, entitled "An act to provide for the making of settlements with the State Auditor and State Treasurer, and the examination of the condition and affairs of State offices generally, the Governor's excepted, in cases where such settlement has not been, or shall not be made, or has not been, or shall not be reported to and acted on by the General Assembly as required by law," was taken up, read second time and referred to the Committee on Judiciary.

Senate bill No. 48, entitled "An act to amend section 4937 and section 4938, article 5 of chapter 89 of the Revised Statutes of 1879, concerning 'Cities, towns and villages,'" was taken up, read second time and referred to the Committee on Banks and Corporations.

Senate joint and concurrent resolution No. 7 was taken up, read second time, and, on motion of Senator Edwards of St. Charles, the

Senate went into a Committee of the Whole for its consideration, Senator Hutt in the chair.

When the committee arose, Senator Hutt submitted the following report :

MR. PRESIDENT: Your Committee of the Whole Senate, to whom was referred Senate joint and concurrent resolution No. 7, beg leave to report that they have considered the same, and recommend that it do pass.

Senate joint and concurrent resolution No. 7, entitled "Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to procure all necessary legislation to grant to the St. Louis and San Francisco Railway Company, the right of way for its railroad through the Ohoctaw Nation in the Indian Territory," was then ordered engrossed and printed.

On second reading of House bills, the following were taken up, read second time and referred :

House bill No. 177; to Committee on Insurance.

Substitute for House bill No. 9; to Committee on Retrenchment and Reform.

Substitute for House bill No. 38; to Committee on Judiciary.

Substitute for House bills Nos. 19, 29, 37, 50, etc.; to Committee on Ways and Means.

On motion of Senator Edwards of St. Charles, substitute for House bill No. 60, was taken up and re-committed to the Committee on Judiciary.

Senator Morrisson moved that when the Senate adjourned it adjourn until Monday morning at 10 o'clock; agreed to.

On motion of Senator Morrisson, Senate adjourned.

TWENTY-FIRST DAY—MONDAY, January 31.

MORNING SESSION.

The Senate met pursuant to adjournment.

The president in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of Saturday read approved.

The President announced the committee to receive the Hon. E. B. Washburn in conformity with the resolution adopted on Saturday : Senators Cottey, Mackay and Gottschalk.

Senator Morrisson presented a memorial from the Southeast Missouri Teachers Association, asking an amendment to the School law ; which was referred to the Committee on Education.

Senator Pehle offered the following resolution :

WHEREAS, The report of the committee appointed by ex-Governor Phelps to settle with the State Auditor and State Treasurer, shows a balance due the State by Mr. Gates, on the 31st day of December, 1880, of \$531,515.96 ; said report further shows that " on the close of business, on the 10th day of January, 1881, a balance of \$518,769.12 ; of this amount he turned over to his successor, Phil. E. Chappel, the sum of \$335,246.47, and deposited in the Bank of Commerce by Calvin F. Burnes the sum of \$184,970.31, leaving a discrepancy of \$11,298.18 unaccounted for ; said amount has been paid out between the first day of January, 1881, and the 10th day of January, 1881 ; the report of the committee shows it. Be it therefore

Resolved, That the committee so appointed make a special report, without delay, to the Thirty-first General Assembly of this State, now in regular session, showing what disposition has been made of said \$11,298.18.

Read first and second time and referred to the Committee on Ways and Means.

Senator Cabell offered the following amendment to the rules :

Amend rule 24 by adding at the end thereof : " And no report made by a standing committee of the Senate shall be considered the day on which it is made, but the same shall lie on the table one day, unless its immediate consideration shall be demanded by a vote of two-thirds of the Senate.

The following message was received from the House of Representatives through Mr. Hawley, chief clerk :

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up, amended, and, as amended, passed Senate bill No. 6, entitled "An act requiring the Governor to appoint a special committee of the General Assembly to visit and examine the institutions of the State;" in which the concurrence of the Senate is respectfully requested.

Senator Edwards of St. Charles introduced Senate bill No. 92, entitled "An act to enable insurance companies, other than life insurance companies, to surrender their special charters and accept in lieu thereof the provisions of the general insurance statutes;" which was read first time and 50 copies ordered printed.

Senator Bland introduced Senate bill No. 93, entitled "An act to prescribe the qualifications and duties of practitioners of medicine and surgery, and to regulate the practice of medicine;" which was read first time and 50 copies ordered printed.

Senator Heaston introduced Senate bill No. 94, entitled "An act to amend section 6334, chapter 129, of the Revised Statutes, entitled 'Of merchants' licenses;" which was read first time and 50 copies ordered printed.

Senator DeArmond introduced Senate bill No. 95, entitled "An act in relation to the construction and maintenance of aprons or chutes to facilitate the passage of fish over dams and other obstructions;" which was read first time and 50 copies ordered printed.

Senator Morrisson introduced Senate bill No. 96, entitled "An act to appropriate money for the payment of the National Bank of Commerce of the City of New York, fiscal agent the State, for the payment of bonds of the State and interest coupons as they fall due, from the year 1872 to December 31, 1880."

Senator Jacobs introduced Senate bill No. 97, entitled "An act to amend sections 5901 and 5912, chapter 118 of article 3 of the Revised Statutes of Missouri, entitled 'Of institutions;" which was read first time and 50 copies ordered printed.

Senator DeArmond introduced Senate bill No. 98, entitled "An act of limitation as to the payment of certain State warrants and State bonds;" which was read first time and 50 copies ordered printed.

Senator Edwards of St. Charles submitted the following report from the Committee on Engrossed Bills :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was

referred Senate bill No. 17, entitled "An act respecting the probate court in the county of Jackson," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct; which was read.

Senator Jacobs submitted the following report from the Committee on Blind Asylum:

MR. PRESIDENT: Your Committee on Missouri School for the Blind beg leave to make the following report: By authority of the Senate, your committee visited the school for the blind, in the city of St. Louis, and, after spending two days in making a thorough examination of the condition and affairs of the institution, respectfully submit the following as the result of their investigations:

THE BUILDING.

The building is located on Morgan street, between 19th and 20th streets, and is, in the opinion of the committee, sufficiently commodious to meet the present requirements of the school. The main part of the building, however, is very old, and the entire structure in bad condition and in urgent need of immediate repair. The roof is very old, and must, at an early date, be replaced with a new one. The floors in many rooms are nearly worn through, and should be relaid at once.

The walls are dingy with age and weather stain, and they, as well as the wood work, should be repainted, for the better preservation of the property, and to the end that the rooms may look respectable.

The report of the board of trustees shows that during the past year about \$600.00 was expended to insure the building. Your Committee is of the opinion that this property should not be insured, for the following reasons:

1st. Because the State is far more able to bear the risk of loss by fire than any insurance company can be to assume that risk.

2d. Because the safety of the unfortunate children of the school is of the first consideration, and while we would not charge that the insurance of the building would lessen the vigilance of those in charge, yet we believe it would have that tendency, and is, therefore, impolitic.

3d. Because the money so expended must necessarily trench upon the maintenance fund, which is, too small already, and should not be lessened.

THE FURNITURE.

The furniture is, in the opinion of every member of your committee, totally inadequate for even the simple wants, to say nothing of the comfort and convenience of the inmates of the institution. There are but few carpets in the entire building, and those are old and badly worn, having done service for unknown years.

There are no wardrobes, or even hooks or brackets in the dormitories in which the children may hang their clothing at night; nor is there a particle of furniture in the dormitories, except the cots on which the children sleep. There are no curtains to the windows; there is hardly a comfortable chair in the building. In short, the furniture is not only old and worn with use, but is totally insufficient in quantity.

There is absolutely nothing with which the children can amuse themselves—no toys, no gymnasium—nothing whatever with which to break the monotony of their darkened lives; and your committee think that suitable means of amusements, such as swings, gymnasium and toys of suitable and substantial kinds, should be provided.

THE CLOTHING.

The clothing was found to be comfortable and clean, and at the same time inexpensive.

The beds are placed on cots and are all they need be for comfort.

THE FOOD.

The food is ample in quantity, sound and well cooked, and your committee can recommend no improvement in this direction, except they are of the opinion that there should be an abundance of milk given to all of the children, none now being served, except to the sick or feeble.

The sanitary condition of the institution was all that could be desired. None of the pupils were sick at the time of our visit, and no death has occurred during the past two years.

Your committee noticed, with great pleasure, the extreme neatness and order that prevailed in the several departments, as well as the spirit of contentment that was exhibited by the children we talked with, many of them privately, and all expressed themselves as happy and contented; and we found none that wished to leave the institution. They seemed to be profoundly grateful to the good people of the State for providing for them the means of securing an education.

Your committee visited the various classes, and while we do not feel competent to pass judgment upon the system of education pursued, we were profoundly impressed with the degree of proficiency attained in all the elementary branches of an English education. Some of the recitations possessed great merit, and would have done credit to pupils of the same age in any school in the land.

THE MUSICAL DEPARTMENT.

This is one of great importance, and your committee were pleased as well as surprised at the high standard reached in this department. We were entertained by solo and chorus singing, piano and organ playing, of decided merit, and also listened to a full orchestra composed of eight violins, two flutes, one clarinet and two horns. The blind, more than seeing people, enjoy and appreciate music, and readily become expert performers on the various instruments, when an opportunity is afforded them. Too much attention cannot be paid to this branch of their education, as it opens up to them, in very many cases, the means of acquiring a comfortable livelihood. A large number of the graduates of the Missouri School for the Blind are now engaged in different parts of the State in teaching music, and are reported as being very popular and successful musical educators. In this connection your committee would note the fact that the supply of musical instruments, especially of the smaller kinds, is not sufficient for the wants of the school, and should be increased.

Prof. Gilsinn, who has charge of this department, is a gentleman of rare musical attainments.

THE LIBRARY.

Your committee was impressed with the necessity of providing a good supply of new books for the teachers' library. On account of the limited number of books printed for the blind, it becomes necessary for the teachers to read to the pupils, and thus teach them orally. One hour each evening is devoted to this work, and we are informed that the library, which is very small, has been read and reread, and badly needs replenishing. The trustees ask for one thousand dollars for this purpose, and your committee earnestly recommend that the request be granted.

THE MECHANICAL DEPARTMENT.

This department is one of great practical benefit to the pupils. The boys' work-shop is in charge of Geo. Blades, a blind graduate of

the school, and under his efficient management the boys are not only taught a trade which will make them self-sustaining through life, but the shop actually shows a profit of \$126 in the past two years. By a system of experiments, it has been found that broom-making is better suited to the blind than any other trade. The pupils soon become as proficient in their work as seeing people; and then again, when they leave the school and are thrown on their own resources, a small capital is sufficient to purchase the necessary machinery and establish them in their business. In view of these facts the trustees have very properly discontinued the teaching of all trades but that of broom-making.

In the girls' work-room we were shown a large array of useful and ornamental work, such as quilts, wearing apparel, crochet and bead work. We were attracted by the busy hum of sewing machines operated by blind girls, and the work done was as well done as could be desired. In fact, your committee were quickly convinced that these poor blind girls were not helpless objects of charity, but skillful and useful members of society, made capable by the system of education offered them, of doing almost any kind of work that seeing people can be taught to do.

BOOKS AND ACCOUNTS.

Your committee carefully examined the books and accounts, and found them to be correct. All vouchers for material are on file in the order of their payment, and are approved by the Superintendent and countersigned by the President of the Board of Trustees.

Too much credit cannot be given to the officers of the school, and the Board of Trustees, for the efficient manner in which they have managed the school, and the funds appropriated for its support.

The Board of Trustees is composed of gentlemen whose names are a sufficient guarantee that the duties of their trust are discharged with scrupulous fidelity to the State and the unfortunate beings in whose behalf they labor. They receive no compensation for their services, and your committee feel that they are entitled to the highest praise for the efficient manner in which they have managed this noble State charity. It is fortunate for suffering humanity that such men as Thos. E. Tutt, D. R. Barclay, Jos. O'Neill, R. M. Scruggs, H. Clay Ewing, N. B. Thompson and Dr. S. Pollock can be found who will give their valuable services and time in behalf of their less fortunate fellow beings. One of these trustees, Dr. Pollock, has been connected with the Institute from the time it was founded, and has given his professional services as a physician without charge. He is devoted to the school and its pupils.

Your committee had a conference with the trustees, and received from them interesting and valuable information. They assured us that the Superintendent, Dr. McWorkman, possessed rare qualifications; that his long experience as Superintendent of the Blind Institutions of Indiana and Missouri, together with his executive ability and his moral worth, rendered him eminently fit for the responsible position he occupies, and that his services were invaluable.

Mrs. Standish, the Matron, is in charge of the domestic department, and to her rare executive ability is due the neatness and order observed on every hand by your committee. Her gentleness and uniform kindness wins the love and respect of all the inmates of the Institute, and her presence in the building is a guarantee that "all is well."

Dr. Sibley, the head of the literary department, is, we are assured by the trustees, one of the most efficient educators of the blind in the United States.

Miss Colby, Miss Hill and Miss McGinnis, assistants to Dr. Sibley, are devoted to their labor and the unfortunate children in their charge.

In short, your committee is persuaded, from all the information that could be gathered in the time that we were at the Institute, that the management throughout could not be bettered in any particular.

The trustees, in their report, recommend that the law be so amended as to provide for the appointment of eleven trustees, instead of seven, seven of whom shall be residents of St. Louis, and who shall form the executive board, the remaining four to be residents of different parts of the State, who shall meet with the executive board, quarterly, and that they shall receive actual and necessary expenses incurred by such quarterly meetings, but no compensation for their services.

Your committee believe that it will be for the best interests of the institution to adopt their recommendations, with the exception that we think five trustees from St. Louis and four from the State at large will be sufficient to meet the requirements.

The trustees ask at the hands of the Legislature, the following appropriations for the conduct of the Institute for the next two years:

For salaries of teachers, etc.....	\$16,000
For maintenance of school.....	36,000
For library.....	1,000
For repairing and refurnishing.....	5,000

Total..... \$58,000

They impressed very strongly on the minds of your committee that this was the smallest amount with which the Institute could be maintained during the next two years in a manner consistent with the actual comfort and welfare of the pupils, as well as with the dignity of the State.

Your committee earnestly recommend that the amount asked for be appropriated. We feel sure that while the good people of the great State of Missouri want their Representatives to economically administer the finances of the State, they do not want them to appropriate less than the amount necessary to conduct our eleemosynary institutions in a manner that will insure comfort and advancement to the inmates and reflect credit on the State. All of which is respectfully submitted.

W. A. JACOBS, Chairman.

Which was read at length and adopted, and 1,500 copies ordered printed, 1,000 for the use of the Asylum, 125 for the use of the Senate, 375 for the use of the House of Representatives, and the report referred to the Committee on Ways and Means.

Senator DeArmond submitted the following report from the Committee on Judiciary :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 52, entitled "An act to amend section 201 of the Revised Statutes of the State of Missouri, in relation to administration," beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendment; which was read.

The bill so reported, being Senate bill No. 52 was taken up, and the following amendment offered by the committee—

Amend by striking out the word "adding," in fifth line, section 1, original bill, and inserting in lieu thereof the following: "inserting in fourth line of said section 201 after the word 'less;'" was read first and second times and adopted, and the bill, as amended, ordered engrossed.

Senators Allen, Walker and Rogers granted leave of absence one day.

The following message was received from the House, through Mr. Hawley, Chief Clerk:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed substitute for House bill No. 69, entitled "An act to amend section 1155, article 4, chapter

23 of the Revised Statutes, 'Of circuit courts,' in which the concurrence of the Senate is respectfully requested.

Senator DeArmond submitted the following report from the Committee on Judiciary :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred substitute for House bill No. 38, entitled "An act to amend section three thousand seven hundred and forty-two (3742), article eleven (11), chapter fifty-nine (59) of the Revised Statutes, 'Practice in civil cases,' " beg leave to report that they have considered the same, and recommend that it do pass; which was read.

The bill so reported being substitute for House bill No. 38, entitled, "An act to amend section 3742, article 11, chapter 59 of the Revised Statutes of Missouri, "Practice in civil cases," was taken up, and read a third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rouse and Stephens—29.

ABSENT ON LEAVE—Senators Allen, Mabrey, Rogers and Walker—4.

SICK—Senator Perkins.

The title of the bill was read and agreed to.

Senator Cottey moved to reconsider the vote by which the bill passed, and lay the motion to reconsider on the table; the latter motion was agreed to.

Senator DeArmond submitted the following report from the Committee on Judiciary :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 64, entitled "An act to provide for the making of settlements with the State Auditor and Treasurer, and the examination of the condition and affairs of State offices generally, the Governor's excepted, in cases where such settlement has not been, or shall not be made, or has not been, or shall not be, reported to and acted on by the General Assembly, as required by law," beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendment; which was read.

The bill so reported, being Senate bill No. 64, was taken up, and the following amendment offered by the Committee—

Amend by striking out the word "and," between "duties" and "action," second line, third page of bill, and twenty-first line of printed copy, and by inserting after said word "action" the words

"and compensation," and by inserting after the word "committee," in same line, the words "and clerk;" was read first and second times and adopted, and the bill laid over informally.

Senator DeArmond submitted the following report from the Committee on Judiciary:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 57, entitled "An act to amend sections 5371, 5372 and 5407, article 4, chapter 95 of the Revised Statutes of Missouri, entitled 'Of counties,'" beg leave to report that they have considered the same, and recommend that it do pass; which was read.

The bill so reported, being Senate bill No. 57, was taken up and ordered engrossed.

Senator Cabell moved to reconsider the vote by which Senate bill No. 55 was referred to the Committee on Criminal Jurisprudence; carried.

On motion of Senator DeArmond the bill was then recommitted to the Committee on Criminal Jurisprudence.

On third reading of bills, Senate bill No. 17, entitled "An act respecting the probate court in the county of Jackson," was taken up, read the third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyms, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mackay, Manistre, Morrisson, Naylor, Pehle, Rouse and Stephens—29.

ABSENT ON LEAVE—Senators Allen, Mabrey, Rogers and Walker—4.

SICK—Senator Perkins.

The question then recurring on the emergency clause of the bill it was read and adopted by the following vote:

AYES—Senators Bradley, Bryant, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyms, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rouse and Stephens—28.

ABSENT—Senator Byrns.

ABSENT ON LEAVE—Senators Allen, Mabrey, Rogers, and Walker—4.

SICK—Senator Perkins.

The title of the bill was read and agreed to.

Senator Heaston moved to reconsider the vote by which the bill

passed and to lay the motion to reconsider on the table, which was agreed to.

Senate bill No. 6, entitled "An act requiring the Governor to appoint a special committee of the General Assembly to visit and examine the institutions of the State," was taken up and 50 copies of the House amendments ordered printed.

Senator Cabell introduced Senate joint and concurrent resolution No. 8, entitled "Concurrent resolution submitting to the legal voters of the State of Missouri amendments to the Constitution thereof concerning the St. Louis Court of Appeals and the Circuit Court of the city of St. Louis;" which was read first time and 50 copies ordered printed.

Substitute for House bill No. 69, entitled "An act to amend section section 1155, article 4, chapter 23 of the Revised Statutes, 'Circuit courts,'" was taken up and read the first time.

Senator Morrisson moved that when the Senate adjourn it adjourn until to-morrow morning at 10 o'clock, which was agreed to.

Senator Dobyms was excused from the Committee on Deaf and Dumb Asylum and Senator Allen appointed as a member of said committee.

On motion of Senator Headlee, the Senate adjourned.

TWENTY-SECOND DAY—TUESDAY, February 1.

MORNING SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Byrns offered the following resolution, which was read first and second time and adopted:

Resolved, That the Committee on Criminal Jurisprudence and the Committee on Internal Improvements be and they are hereby authorized to rent a suitable room to be used by the two committees.

On motion of Senator Cabell, the amendment to the twenty-fourth standing rule of the Senate, offered on yesterday, was taken up, read second time, and the Senate refused to adopt the same.

The following message was received from the House of Representatives through Mr. Hannay, Assistant Chief Clerk, which was read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed substitute for House bills Nos. 2, 74, 77 and 81, with emergency clause, entitled "An act in relation to benevolent, charitable associations and societies," in which the concurrence of the Senate is respectfully requested.

Mr. Cabell introduced Senate bill No. 99, entitled "An act in relation to special taxes, providing for the recovery of special taxes paid under assessments made by authority of void laws or ordinances, and giving cities of over 100,000 inhabitants authority to assess and collect a tax to meet any deficiency caused under this act;" which was read first time and 50 copies ordered printed.

Senator Bradley introduced Senate bill No. 100, entitled "An act to amend section 4200, chapter 80 of the Revised Statutes of Missouri of 1879, 'Of billiard and other tables;" which was read first time and 50 copies ordered printed.

Senator Mackay submitted the following report from the Committee on Retrenchment and Reform, which was read:

MR. PRESIDENT: Your Committee on Retrenchment and Reform, to whom was referred House bill No. 9, entitled "An act to amend section five thousand six hundred and twenty (5620), Revised Statutes of Missouri," beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported, being House bill No. 9, entitled "An act to amend section five thousand six hundred and twenty (5620), Revised Statutes of Missouri," was taken up, read the third time and passed by the following vote:

A YES—Senators Bland, Bradley, Byrns, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Jacobs, McGrath, McMahan, Mackay, Morrisson, Naylor, Pehle, Rogers, Rouse and Stephens—25.

NOES—Senators Heaston and Lloyd—2.

ABSENT—Senator Manistre—1.

SICK—Senators Bryant, Dungan and Perkins—3.

ABSENT WITH LEAVE—Senators Allen, Mabrey and Walker—3.

The title of the bill was read and Senator Rogers offered the following amendment:

Amend title of the bill by inserting after the words and figures "five thousand six hundred and twenty (5620)," the word and figures "chapter 103;" which was read first and second times and adopted.

The title of the bill, as amended, read and agreed to.

Senator Hutt moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Cottey submitted the following report from the Committee on Ways and Means:

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 1, entitled "An act regulating the interest of money," beg leave to report that they have considered the same, and report said bill back to the Senate without recommendation; which was read.

The bill so reported, being Senate bill No. 1, entitled "An act regulating the interest of money," was taken up, and Senator Heaston moved that the further consideration of the bill be indefinitely postponed, upon which motion the ayes and noes being demanded, the motion was lost by the following vote:

AYES—Senators Bland, Cabell, Edwards of Lafayette, Gottschalk, Heaston, Jacobs, Lloyd, McGrath, Mackay, Manistre, Naylor and Rogers—12.

NOES—Senators Bradley, Byrns, Caldwell, Cottey, DeArmond, Dobyns, Edwards of St. Charles, Headlee, Heard, Hutt, McMahan, Manring, Morrison, Pehle, Rouse and Stephens—16.

ABSENT WITH LEAVE—Senators Allen, Mabrey and Walker—3.

SICK—Senators Bryant, Dungan and Perkins—3.

Senator McGrath moved that the bill be recommitted to the Committee on Ways and Means.

Senator Pehle moved to lay the motion to recommit on the table, which motion was lost by the following vote, the ayes and noes being demanded:

AYES—Senators Bradley, Byrns, Caldwell, Cottey, DeArmond, Dobyns, Edwards of St. Charles, Headlee, Heard, Hutt, McMahan, Manring, Morrisson and Pehle—14.

NOES—Senators Bland, Cabell, Edwards of Lafayette, Gottschalk, Heaston, Jacobs, Lloyd, McGrath, Mackay, Manistre, Naylor, Rogers Rouse and Stephens—14.

SICK—Senators Bryant, Dungan and Perkins—3.

ABSENT ON LEAVE—Allen, Mabrey and Walker—3.

Senator Heaston moved to amend by striking out section seven ; the ayes and noes being demanded, the motion was lost by the following vote :

AYES—Senators Bland, Cabell, Edwards of Lafayette, Gottschalk, Heaston, Jacobs, Lloyd, McGrath, Mackay, Manistre, Naylor, Rogers and Rouse—13.

NOES—Senators Bradley, Byrnes, Caldwell, Cottey, DeArmond, Dobyns, Edwards of St. Charles, Headlee, Heard, Hutt, McMahan, Manring, Morrisson, Pehle and Stephens—15.

ABSENT ON LEAVE—Senators Allen, Mabrey and Walker—3.

SICK—Senators Bryant, Dungan and Perkins—3.

Senator Headlee moved to amend by striking out section six.

The ayes and noes being demanded, the motion was lost by the following vote :

AYES—Senators Bland, Cabell, Edwards of Lafayette, Gottschalk, Heaston, Hutt, Jacobs, Lloyd, McGrath, Mackay, Manistre, Naylor and Rogers—13.

NOES—Senators Bradley, Byrns, Caldwell, Cottey, DeArmond, Dobyns, Edwards of St. Charles, Headlee, Heard, McMahan, Manring, Morrisson, Pehle, Rouse and Stephens—15.

ABSENT ON LEAVE—Allen, Mabrey and Walker—3.

SICK—Senators Bryant, Dungan Perkins—3.

Senator Heaston moved to postpone the further consideration of the bill until February 6.

The ayes and noes being demanded, the motion was lost by the following vote :

AYES—Senators Bland, Edwards of Lafayette, Gottschalk, Heaston, Lloyd, McGrath, Mackay, Naylor and Rogers—9.

NOES—Senators Bradley, Byrns, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Edwards of St. Charles, Headlee, Heard, Hutt, Jacobs, McMahan, Manistre, Manring, Morrisson, Pehle, Rouse and Stephens—19.

ABSENT ON LEAVE—Senators Allen, Mabrey and Walker—3.

SICK—Senators Bryant, Dungan and Perkins—3.

Senator Rogers moved that the Senate adjourn.

The ayes and noes being demanded, the motion was lost by the following vote :

AYES—Senators Bland, Edwards of Lafayette, Gottschalk, Heaston, Lloyd, McMahan, Mackay, Naylor, Rogers and Rouse—10.

NOES—Senators Bradley, Byrns, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Edwards of St. Charles, Headlee, Heard, Hutt, Jacobs, McGrath, Manistre, Manring, Morrisson, Pehle and Stephens—18.

ABSENT ON LEAVE—Senators Allen, Mabrey and Walker—3.

SICK—Senators Bryant, Dungan and Perkins—3.

Senator McGrath moved to amend by striking out section 8.

Senator Mackay moved to lay the amendment on the table.

The ayes and noes being demanded, the motion was lost by the following vote:

AYES—Senators Bland, Cabell, Edwards of Lafayette, Gottschalk, Heaston, Jacobs, Lloyd, McGrath, Mackay, Manistre, Naylor and Rogers—12.

NOES—Senators Bradley, Byrns, Caldwell, Cottey, DeArmond, Dobyns, Edwards of St. Charles, Headlee, Heard, Hutt, McMahan, Manring, Morrisson, Pehle, Rouse and Stephens—16.

ABSENT ON LEAVE—Senators Allen, Mabrey and Walker—3.

SICK—Senators Bryant, Dungan and Walker—3.

The bill was ordered engrossed.

Senator Morrisson moved that when the Senate adjourn it adjourn until to-morrow morning 10 o'clock.

Senator Edwards of St. Charles submitted the following report from the Committee on Engrossed Bills:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate joint and concurrent resolution No. 6, entitled "Joint and concurrent resolution authorizing and instructing the committee appointed by the Governor to settle with the Auditor and Treasurer to cancel vouchers, destroy warrants and for other purposes," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct; which was read.

Senator Dobyns moved to reconsider the vote by which Senate bill No. 28 was ordered engrossed; agreed to.

The bill was then laid over informally.

On motion of Senator Morrisson, the Senate adjourned until ten o'clock to-morrow morning.

TWENTY-THIRD DAY—WEDNESDAY, February 3.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

An executive message was received from the Governor through his Private Secretary, Mr. F. C. Farr:

Senator Naylor submitted the following report from the Committee on Insurance, which was read:

MR. PRESIDENT: Your Committee on Insurance, to whom was referred House bill No. 177, entitled "An act to amend section nine hundred and seventy-four (974), chapter twenty-one (21), article ten (10) of the Revised Statutes of Missouri, 'Of benevolent, religious, scientific, educational and miscellaneous associations,'" beg leave to report that they have considered the same, and recommend that it do pass.

House bill No. 177, entitled an "Act to amend section nine hundred and seventy-four (974), chapter twenty-one (21), article ten (10) of the Revised Statutes of Missouri, 'Of benevolent, religious, scientific, educational and miscellaneous associations,'" was taken up, read the third time, and passed by the following vote:

AYES—Senators Allen, Bradley, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—32.

SICK—Senators Bryant and Dungan—2.

The emergency clause was adopted by the following vote:

AYES—Senators Allen, Bradley, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—32.

SICK—Senators Bryant and Dungan—2.

The title of the bill was read and agreed to.

Senator Edwards of St. Charles moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

On motion of Senator Bradley, the Senate went into executive session, at 10:20 o'clock.

At 10:35 o'clock the Senate resumed its regular session.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 74, entitled "An act to amend section 640, chapter 17 of the Revised Statutes of Missouri, entitled 'Of commissioners of deeds,'" beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment.

Senate bill No. 74, entitled "An act to amend section 640, chapter 17 of the Revised Statutes of Missouri, entitled 'Of commissioners of deeds,'" was taken up, and the following amendment reported by the committee: Amend by adding after the word "commission," where it first occurs in the bill (line 9, printed bill), and also at end of the bill, the words "unless sooner removed by the Governor;" which was read first and second times and adopted, and the bill, as amended, ordered engrossed.

On second reading of Senate bills the following were taken up, read the second time and referred :

Senate bill No. 67, to Committee on Education.

Senate bill No. 68, to Committee on Printing.

Senate bill No. 73, to Committee on Claims.

Senate bill No. 77, to Committee on Judiciary.

Senate bill No. 79 was taken up and read the second time.

Senator Pehle offered the following amendment :

Amend by inserting between the words "shall" and "have," in line 8, section 1, the following: "be known as special revenue agent of the county, and he shall faithfully, honestly and impartially discharge the duties imposed on him by this act; and if his duties are so performed he shall hold his agency for a term of two years, but he may be discharged by the county court at any time for any violation of any of the provisions of this act. He shall"—so that said section will read from and after the word "taxed," in line 7, and before the word "and" in line 11, as follows: "The person so appointed by the court shall be known as special revenue revenue agent of the county, and he shall faithfully, honestly and impartially discharge the duties imposed

on him by this act, and if his duties are so performed he shall hold his agency for a term of two years, but he may be discharged by the county court at any time for any violation of any of the provisions of this act. He shall have lawful power to enter into any lands or tenements and make any examinations or search, which may be necessary, and may examine any person under oath touching the same."

Which amendment was read first and second times, and the bill, as amended, referred to the Committee on Ways and Means.

Senate bill No. 80, to Committee on Ways and Means.

Senate bill No. 82, to Committee on Ways and Means.

Senate bill No. 84, to Committee on Education.

Senate bill No. 85, to Committee on Claims.

And the report of the Committee on State Lands previously made, referred to the same committee.

Senate bill No. 86, to Committee on Ways and Means.

Senate bill No. 87, to Committee on Immigration.

Senate bill No. 88, to Committee on Ways and Means.

Senate bill No. 92, to Committee on Insurance.

On third reading of bills,

Senate joint and concurrent resolution No. 6, entitled "Joint and concurrent resolution authorizing the committee appointed by the Governor to settle with the Auditor and Treasurer to cancel vouchers, destroy warrants," etc., was taken up, read the third time and passed by the following vote:

AYES—Senators Allen, Bradley, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manring, Morrisson, Naylor, Perkins, Rogers, Rouse, Stephens and Walker—29.

NOES—Senators Jacobs, Manistre and Pehle—3.

SICK—Senators Bryant and Dungan—2.

The title of the bill was then read and agreed to.

Senator Heaston moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table, which latter motion prevailed.

Substitute for House bills Nos. 2, 74, 77 and 84, was read first time, and substitute for House bill No. 69 was taken up, read second time and referred to Committee on Judiciary.

Senator Dobyns called up Senate bill No. 64, and, on motion of Senator Cottey, it was laid over informally.

Senator Manring presented a memorial from the St. Joseph and Northwest Missouri Immigration Society, which was referred to the Committee on Immigration.

Senator Edwards of Lafayette introduced Senate bill No. 101, entitled "An act to amend section 22, article 1, chapter 1, Revised Statutes of Missouri, relating to administration; read first time and 50 copies ordered printed.

Senator Edwards of St. Charles introduced Senate bill No. 102, entitled "An act in relation to judges of probate courts; read first time and 50 copies ordered printed.

Senator Heard introduced Senate bill No. 103, entitled "An act to regulate practice in the Supreme Court and to aid in disposing of cases pending in said court;" which was read first time and 50 copies ordered printed.

Senator Walker introduced Senate bill No. 104, entitled "An act to amend section 818, article 2, chapter 21, Revised Statutes of the State of Missouri, relating to the protection of stockholders in railroad corporations against fraudulent contracts of employes;" which was read first time and 50 copies ordered printed.

Senator DeArmond introduced Senate bill No. 105, entitled "An act to regulate the retailing of intoxicating liquors by dealers in drugs and medicines, and to repeal chapter 100 of the Revised Statutes of the State of Missouri, 'Of druggists and their licenses, and all other acts and parts of acts inconsistent with this act;" which was read first time and 50 copies ordered printed.

Senator Dobyms introduced Senate bill No. 106, entitled "An act to amend section 2956, chapter 44 of the Revised Statutes of Missouri, entitled 'Of justices courts;" which was read first time and 50 copies ordered printed.

Senator Cottey moved that when the Senate adjourn it adjourn to meet at 3 o'clock P. M. to-day. Carried.

On motion of Senator Bradley the Senate adjourned until 3 o'clock P. M. to-day.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

By unanimous consent Senator Lloyd introduced Senate bill No. 107, entitled "An act to amend section 4358 of article 2 of chapter 87 of the Revised Statutes of Missouri, entitled 'Of the restraint of diseased and Texas cattle;'" which was read first time and ordered not printed.

On motion of Senator Edwards of Lafayette, Senate bill No. 101 was taken up and ordered not printed.

By consent, Senator Edwards of St. Charles introduced Senate joint and concurrent resolution No. 9, "Authorizing and directing the Secretary of State to deliver to the Librarian of the State University six copies of the Revised Statutes of Missouri."

The committee appointed to receive the Hon. E. B. Washburn, ex-Minister Plenipotentiary to France, and conduct him to the Senate Chamber, appeared upon the floor, and Senator Mackay introduced the distinguished visitor in the following language:

MR. PRESIDENT: It affords me pleasure to announce to the Senate the presence of Hon. E. B. Washburn of Illinois on this floor. Did I say of Illinois? I should have said one of a family of brothers, whose names have become illustrious as public servants, and are known from the St. Lawrence to the Pacific, and in whatsoever position placed, either in the halls of our national legislature, or in the courts of Europe, ever reflected honor upon our country and people; and now I introduce him, not as Washburn of Illinois, but as Washburn of our whole nation.

Whereupon the President descended from the chair, acknowledged the introduction and invited the Hon. E. B. Washburn to a seat upon the floor of the Senate.

On motion of Senator Cottey, the Senate took an informal recess.

Recess having expired the President called the Senate to order.

On motion of Senator Cabell the Senate adjourned until to-morrow morning at 10 o'clock.

TWENTY-FOURTH DAY—THURSDAY, February 3.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

Senator Heaston presented a petition from Corrairie Temperance Society, urging the adoption of a constitutional amendment to prohibit the manufacture and sale of intoxicating liquors in this State; which was referred to the Committee on Constitutional Amendments.

Senator Dobyns presented a petition from citizens of Jackson township, Shelby county, Mo., asking for the submission of a constitutional amendment prohibiting the importation, manufacture and sale of intoxicating liquors as a beverage in this State; which was referred to the Committee on Constitutional Amendments.

Senator Heard presented a petition from ministers of the gospel of the State of Missouri, asking a change in the marriage law; which was referred to the Committee on Criminal Jurisprudence.

Senator Dungan presented a memorial from citizens of Missouri, asking for the adoption of a constitutional amendment in regard to female suffrage; which was referred to the Committee on Constitutional Amendments.

Senator Rogers introduced Senate bill No. 108, entitled "An act to empower fire and marine insurance companies to continue either the stock or mutual plan of insurance only, and to elect a board of directors for the plan which may be selected;" which was read first time and 50 copies ordered printed.

Senator Cabell introduced Senate bill No. 109, entitled "An act relating to scientific and historical institutes and eleemosynary institutions;" which was read first time and 50 copies ordered printed.

Senator Edwards of St. Charles, from the Committee on Engrossed Bills, submitted the following reports, which were read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred joint and concurrent resolution No. 7, entitled "Joint and

concurrent resolution instructing our Senators and requesting our Representatives in Congress to use all means in their representative capacity to procure all legislation necessary to grant to the St. Louis and San Francisco Railway Company the right of way for its railroad through the Choctaw Nation in the Indian Territory," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 52, entitled "An act to amend section 201 of the Revised Statutes of the State of Missouri in relation to administration," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 1, entitled "An act regulating the interest of money," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

The President laid before the Senate the following communication, which was read:

ST. LOUIS, February 2, 1881.

Hon. R. A. Campbell, President of Missouri State Senate, Jefferson City, Mo.

DEAR SIR: I read with pleasure of the part you took in the discussion of a resolution pending before the Legislature of your State, requesting the members of the House of Representatives, and instructing the Senators of your State in Congress, to use their efforts to secure such legislation by Congress as will insure a right of way to the St. Louis and San Francisco Railway through the Indian Territory to Texas. I beg to state that the route proposed is through the Choctaw Nation, exclusively; that I am a citizen and resident of that Nation, and that I am authorized to represent a great many of the Choctaw people, and say that they acknowledge and appreciate the great benefit and advantages such a line of railroad will be, not only to the Choctaw Nation, but to the whole United States. We don't desire it said that we stubbornly and without concern stand in the way of great public enterprises; and again we want it understood that we propose to stand by our Treaty of 1855, which provided for rights of way through our Nation for railroads. Unless we mistake ourselves, we don't ask anything but justice, and we suggest that your resolution further request and in-

struct your members in Congress to see that, in whatever legislation is had, the rights and interests of the Choctaws, with reference to materials used by railroads, are strictly observed. Very respectfully,

J. R. STANDLY.

Senate joint and concurrent resolution, entitled "Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress, to use all means in their representative capacity to procure all legislation necessary to grant to the St. Louis and San Francisco railway company, the right of way for its railroad through the Choctaw Nation in the Indian Territory," was taken up, read the third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrison, Naylor, Pehle, Rogers, Rouse, Stephens and Walker—33.

SICK—Senator Perkins—1.

The title was read and agreed to.

Senator Cabell moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; which latter motion prevailed.

Senate bill No. 1, entitled "An act to regulate the interest of money," was taken up, and Senator Allen moved to reconsider the vote by which the bill was ordered engrossed. Lost.

The bill was then read the third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Caldwell, Cottey, DeArmond, Dobyns, Edwards of St. Charles, Headlee, Heard, Hutt, McMahan, Mabrey, Manring, Morrisson, Pehle, Rouse and Stephens—18.

NOES—Senators Allen, Bland, Cabell, Dungan, Edwards of Lafayette, Gottschalk, Heaston, Jacobs, Lloyd, McGrath, Mackay, Manistre, Naylor, Perkins, Rogers and Walker—16.

The title of the bill was then read and agreed to.

Senator Edwards of St. Charles moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table.

The ayes and noes being demanded the motion to lay on the table prevailed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Cabell, Cottey, DeArmond, Dobyns, Edwards of St. Charles, Heard, Hutt, McMahan, Mabrey, Manring, Morrisson, Pehle, Rouse and Stephens—17.

NOES—Senators Allen, Bland, Cabell, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heaston, Jacobs, Lloyd, McGrath, Mackay, Manistre, Naylor, Perkins and Rogers—16.

ABSENT—Senator Walker—1.

Senate bill No. 52, entitled "An act to amend section two hundred and one of the Revised Statutes of the State of Missouri, in relation to administration," was taken up, read the third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—31.

NOES—Senators Cottey, Lloyd and Morrison—3.

The title of the bill was then read and agreed to.

Senator Rouse moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; which latter motion prevailed.

Substitute for House bills Nos. 2, 74, 77 and 84 was taken up, read second time and referred to the Committee on Insurance.

On motion of Senator Rogers, the Senate took an informal recess.

The President called the Senate to order, and the following message was received from the House of Representatives through Mr. Hawley, Chief Clerk:

MR. PRESIDENT: I am instructed by the House to inform the Senate, that the House is prepared to receive them in joint session for the purpose of receiving the Honorable E. B. Washburn of Illinois.

On motion of Senator Cabell, the Senate proceeded to the Hall of the House of Representatives.

The joint session of the Senate and House of Representatives was presided over by Lieutenant-Governor Campbell, who introduced the distinguished guest as follows:

Gentlemen of the Executive, Legislative and Judicial Departments of the State:

We have assembled here in this historic hall to-day to listen to an address by a gentleman who, in all the relations of a life of public service, whether in the legislative halls of his State or the nation, in the cabinet, or the diplomatic service of his country, has ever reflected credit upon himself and glory upon the American name. I will not

anticipate the subject of his discourse, or the object of his visit to our capital city. I take pleasure in introducing to you a gentleman whose name is known and honored by all the civilized nations of the earth, Elihu B. Washburn, the distinguished citizen of our sister commonwealth, the great State of Illinois.

The portrait of Hon. Edward Hempstead was then brought forward and formally presented by Mr. Washburn in the following words :

ADDRESS.

Gentlemen of both Houses of the Legislature of Missouri:

I am charged with the performance of a mission which will be explained by a letter addressed to me, and which I beg leave to read :

CHICAGO, January 27th, 1881.

HON. E. B. WASHBURN :

DEAR SIR: Some time since I intimated to you my intention of presenting to the State of Missouri the portrait of my uncle, Edward Hempstead, provided the State should indicate a desire to possess it. This portrait was painted by Stuart, and was bequeathed to me by my father, Charles S. Hempstead. You now inform me that the House of Representatives of the General Assembly of that State has passed a resolution declaring that it will gratefully accept the donation. When the matter was first spoken of, you had the kindness to say that if the State should accept the portrait, you would go in person to the City of Jefferson and make the presentation in my name. That offer was very gratifying to me, particularly in view of the relationship of your wife, not only to my uncle, but to so many of the earlier settlers of St. Louis and Missouri. The time seems now to have arrived when I can carry out my purpose. I need not say that this portrait is very precious to all our family, but as I have thought it might have a certain historic value to a State to which my uncle was so prominently, and, I believe, so honorably, identified in its earlier history, I, therefore, now beg to confide it to you, to be presented in my name, to my native State of Missouri, at such time as will be convenient and agreeable to you. I have the honor to be, very respectfully, your obedient servant,

EDWARD HEMPSTEAD.

The writer of this letter, Mr. Edward Hempstead, of Chicago, is a native of Missouri. His father the late Charles S. Hempstead, long and justly distinguished as a citizen and lawyer, of Galena, Ill., had practiced law in Missouri, both at St. Genevieve and St. Louis, from 1814 to 1829. The portrait now presented to the State of Missouri is that of the uncle of the donor, Edward Hempstead, his father's brother. It was painted by Stuart, and by all who knew Mr. Hempstead it has

been regarded as a most perfect and admirable likeness, and as a work of art it has rare merit.

The mission which the donor has confided to me is an agreeable one. After a period of forty-one years it awakens pleasant reminiscences of your State. It was in the month of March, 1840, that I first saw St. Louis, and it then had many traces of those early French settlers whose lives and whose names have become so important a part of your history.

The early history of my own State of Illinois, as well as that of Missouri, and of all that vast empire, first discovered, explored and settled by the French, has to me all the interest of a romance. In the wild and rapid whirl of events in our country, we are too apt to neglect or forget history. Humanity sweeps onward, but the recollections of men and the histories of nations and peoples are too often buried in forgetfulness and oblivion. To rescue a name worthy to be remembered and honored, to recall great events, to look back upon the deeds of those who have gone before us, are objects worthy of all our consideration.

The early history of your own State, and particularly of St. Louis, now become so great a city, will always excite the deepest interest among you. The names of the great and brave, and the enterprising men, who, amid dangers, trials and sufferings, and under the most adverse circumstances, laid broad and deep the foundations of your great commonwealth, should forever be honored in your memories.

The subject of my paper to night is one of your earliest and most distinguished pioneers, Edward Hempstead, whose portrait has been so appropriately and so generously presented to your State by his nephew, who bears his name. Mr. Hempstead has the great distinction of having been not only the first delegate of the Territory of Missouri in the Congress of the United States, but the first man who ever sat in the hall of our national councils from west of the Mississippi river, and representing a country which, in the space of less than three-quarters of a century, has become an empire in population, enterprise, wealth and all the elements that go to make up a great and free people.

In the Territory represented by Mr. Hempstead in Congress from 1812 to 1814, there are now the following States and Territories: Missouri, Arkansas, Iowa, Kansas, Colorado, Nebraska, Oregon and that part of Minnesota west of the Mississippi river (States) and the Territories of Dakota, Idaho, Montana, Wyoming and Washington.

In 1810 the population of Arkansas was 1,062, and of Missouri 19,783, a total of 20,845, and this comprised the entire population in what was then Upper Louisiana. In 1880 the population of these States and Territories carved therefrom was 7,494,465. Where in 1812 there

was one delegate in Congress, there are now sixteen Senators, thirty-five Members of Congress and five delegates. There will be quite an increase of the number of Members of Congress under the new apportionment.

Edward Hempstead was born in New London, Conn., on the 3d of Jun, 1780, and in the very throes of the revolutionary war. He was the second son of Stephen Hempstead, who was just entering on the stage of manhood when the war of independence broke out. The family belonged to the earliest settlers of the Connecticut colony. No sooner had the intelligence of the battle of Lexington, April 18, 1775, reached New London, than young Hempstead, then 22 years old, volunteered as a private soldier in the service of his country. He went with the first troops who assembled at Boston after the battle of Lexington, participated in the battle of Bunker Hill and saw the British evacuate Boston. He was with Washington, and arrived at New York in July, 1776, when the Declaration of Independence was read to the troops. He witnessed the pulling down of the royal insignia, and heard the words "Free, Sovereign and Independent States" repeated and acclaimed. In the same year he was one of the forlorn hope sent on a most perilous expedition in the "fire ships" to burn the British man-of-war *Asia*, of eighty-four guns, then on the Hudson river above New York. He was a sergeant in the company of Capt. Nathan Hale, the "martyr'spy." The steadfast and devoted friend of that brave generous and accomplished young officer, he accompanied him on his fatal mission. In 1811 he removed to St. Louis, where his son had preceded him, and settled on a farm a few miles from the present city. He was a man of much intelligence, of the strictest probity, and was possessed of all the elements of the best type of the New England character. He was universally respected, and died lamented by all who had known him. He and all his family were the firm friends of Col. Benton, and their friendship was fully reciprocated by that distinguished man down to the last day of his life. It was my fortune to serve in the House of Representatives of the thirty-fourth Congress with Col. Benton, and knowing the connection which I held by marriage to many of the earlier settlers of St. Louis, who were equally his friends, he was always very cordial to me.

I recollect that I made a call upon him on the evening of New Year's day, in 1856. I found him quite alone and in excellent spirits. He commenced at once to speak of the Hempsteads and the Gratiots, and of the olden times in St. Louis. Of Mr. Hempstead, the father, he spoke in the most expressive and beautiful language. He said: "Mr. Hempstead was a true and brave man, a man pure and without reproach, fearing God and discharging every public and private duty

with scrupulous exactness; he united benevolence with true piety, and in him patriotism was sublimated to the highest degree. In the words of the scripture, 'he has been blessed in all his generation.' Missouri met with an irreparable loss when his son, Edward Hempstead, died. No man could have stood higher in public or private estimation, and had he lived he would have received every honor that the State could bestow, and would certainly have been the first United States Senator. He lost his life in serving a friend, Mr. Scott. I was with him the night of his death." Here he paused a moment, as if in thought, and then continued abruptly: * * * * *

"Sir, how we did things in those days! After being up with my dead friend all night, I went to my office in the morning to refresh myself a little before going out to bury him five miles from the town. While sitting at my table writing, a man brought me a challenge to fight a duel. I told the bearer instantan: 'I accept, but I must now go and bury a dead friend; that is my first duty. After that is discharged I will fight to-night, if possible, if not, to-morrow morning at daybreak. I accept your challenge, sir, and Col. Lawless will write the acceptance and fix the terms for me.' I was outraged, sir, that the challenge should have been sent when I was burying a friend. I thought it might have been kept a few days, but when it came I was ready for it." This conversation so impressed me that I wrote it out immediately after my return to my lodgings.

This was the first duel which Col. Benton had with Capt. Charles Lucas, fought on Bloody Island, in August, 1817. The result of the second and fatal duel between the same parties, fought on the 27th of the succeeding month, is known to you all.

Mr. Edward Hempstead received a classical education under the tuition of the Rev. Amos Bassett, a gentleman of piety and learning, in the town of Hebron, Conn. He early began the study of law in his native State, first under Sylvester Gilbert, Esq., and finished under Enoch Huntington, Esq. He was licensed in 1801, and commenced practice in Connecticut. From there he removed to Newport, R. I., where he became a partner of the Hon. Asher Robbins, afterwards a distinguished member of the National Senate from that State. After remaining two years at Newport, though he gained a good reputation at the bar, and the avenue to a complete success seemed open to him, he determined to seek a home west of the Mississippi. Louisiana had then been purchased from France, and with prophetic vision he saw that

"Westward the star of empire takes its way."

For a young man with no resources but his own character and abil-

ities to leave staid New England to settle in a country half-way across the continent, and just acquired from a foreign nation, was the conception of a stout heart and inspired by a great ambition.

He left Newport, R. I., in June, 1804, and traveled on horseback (at that day almost the only conveyance west of the Alleghany mountains) to Vincennes, in the Territory of Indiana, where he arrived in due time. Finding that the civil laws of our government had not yet been extended over Upper Louisiana, he remained at Vincennes until the fall of that year (1804), when he accompanied the Governor of Indiana Territory, General William H. Harrison, to St. Louis, who visited that district or portion of Upper Louisiana to organize the civil government, courts, etc. This province had just before that time been attached by act of Congress to the Territory of Indiana for governmental and judicial purposes. Mr. Hempstead's arrival at St. Louis was but a few months after the formal transfer of the sovereignty of Upper Louisiana from France to the United States had taken place.

At this time, in the fall of 1804, the town could not have contained a population of more than one thousand souls, and there were but very few English speaking families. There was not a brick house, or even a brick chimney in the place. The town was then almost as thoroughly French as any provincial town in France to-day, with French language, French usages, habits and manners. There is nothing in history more touching than the devotion and affection which the French residents of St. Louis at that time had for the mother country. Though many of them had been driven out of their country by the storms of the revolution, yet the love of *La Belle France* was with them a supreme and ruling passion. They bore with them through all their relations, and all the vicissitudes of their frontier life, all the habits, the customs and usages of their own beloved France. For long years, when under French political and social domination, St. Louis was a center of commerce and of fashion. Many of these early French settlers were men of enterprise, intelligence and energy, and, though far removed from civilization, they preserved much of the polish and grace characteristic of their nationality. It was on the 10th day of March, 1804 that the transfer of sovereignty was made. It was with feelings of sadness and regret that the great mass of French residents of St. Louis found their allegiance severed from France. This transfer of the sovereignty sank deep in their hearts. On the 10th of March, 1804, tenderly and reverently the proud ensign of France was lowered in the presence of a great multitude and amidst tears and sighs, and then was flung to the breeze of heaven the starry banner of our own republic on the balcony of the residence of Charles Gratiot, who saluted with respect and affection this emblem of his adopted country. Adapting themselves

with wonderful facility to the new order of things, the population soon became reconciled to the change. A new impetus was given to trade and business, and immigration began to flow in. An era of prosperity was opened up to them, of which they had little dreamed and soon realized how beneficial was the change of sovereignty to every interest; they became loyal, true and devoted American citizens. If a digression could be pardoned, I might speak of some of these early French residents of St. Louis, whom it was my pleasure and happiness to know, but my time will only permit me to mention the one whom I knew the best. This man was Pierre Chouteau, Jr., who, as a merchant and a man of business for nearly half a century had no equal in the Mississippi valley. He had the genius of commerce, a bold spirit, and an unerring sagacity. So long the successful manager of the American Fur Company, he acquired a reputation through all the vast northwest which made his name everywhere the synonym of commercial honor and personal integrity. In his personal appearance he was remarkable, and no one who had ever seen him could forget him. Tall of stature, erect, and of splendid proportions, his coal-black hair, tinged with gray in his late years, his keen, penetrating black eye, his pleasant and sunny countenance, his French vivacity, his voice strong, vibrating, accentuated, his courtly but frank manners, made an impression at once lasting and agreeable.

Mr. Hempstead first settled at St. Charles, on the Missouri river, where he opened an office and practiced his profession for about one year. Here he devoted himself to the acquisition of the French language, and to the study of the French and Spanish laws.

Though his residence at St. Charles was only a brief one, yet, during that time, he was appointed to and held several offices of high trust and importance connected with the courts. In the fall of 1805 he removed to and established himself at St. Louis, the seat of Government of Upper Louisiana. There he at once entered into a most extensive, laborious and successful practice of his profession, not only in the courts of law, but before the tribunal established for the purpose of adjusting land claims and titles derived from the Spanish and French Governments in Upper Louisiana. Thoroughly studied in this branch of his profession, he was rewarded with corresponding success. He not only practiced in the courts of St. Louis, but in the adjacent districts on the west side, and those in the "Illinois country," as it was then called, on the east side of the Mississippi river. In 1806 he was appointed deputy Attorney-General for the districts of St. Louis and St. Charles, to the Territory of Upper Louisiana. In March, 1809, he received from Governor Merriwether Lewis the appointment of Attorney-General for that Territory, which he accepted and held until 1812,

and the duties of which highly important office he performed with eminent ability, firmness and efficiency.

I quote from a memoir of Mr. Hempstead, written by his friend Col. Benton, in 1818: "Soon after his settlement in St. Louis, Mr. Hempstead married into one of the most respectable families of the place, but left no surviving issue. His private life was an example of all that is desirable in the character of husband, father, and neighbor. In that of son and brother he has had but few parallels. No sooner did he find himself established in his new residence in Missouri than his filial affections went in search of his parents and relatives, whom he had left in Connecticut when setting out to lay the foundation of his own fortunes in a country so remote and so little known. He brought them to Missouri, established his aged parents in a comfortable home, and extended the assistance of a father to his brothers and sisters. Traits of this kind display the heart; they show the material of which it is made, and speak a higher eulogy than the tongue or pen of friendship can confer."

In this connection, and particularly in reference to the interest taken by Mr. Hempstead in his family, I can not forbear to quote a letter written by him to his brother, the father of the donor of this portrait, and just as he was entering upon the practice of his profession at Ste. Genevieve. It shows the elevated character of the man, and is as an "apple of gold in a picture of silver:"

"St. Louis, January 13, 1815.

"You are leaving me and beginning for yourself much sooner and at a much earlier age of life than is common. It behooves you, therefore, to be most cautious and prudent. As it respects your conduct as a man, remember that you are going to a place more dissipated than this, and where many of the first men in society are addicted to card-playing. As you have never begun, continue the resolution *never to gamble*, be the inducement what it may. Fall not into the habit many have of drinking. Be free and sociable with your equals in age and standing, but be circumspect with those older than yourself. Be careful in avoiding a misunderstanding with any man; if, however, it can not be prevented, when you are right stick to it to the end.

"Touching your profession, close and constant study and reflection are now very necessary, more especially as you will have to contend with gentlemen of long standing and of high reputation at the bar. Trust more to books for forms, and to memory for principles. Let all your declarations and pleadings be taken from established precedents. Encourage no one to commence a suit when he is wrong, nor where he can not succeed. Always make a bargain for the price you are to re-

ceive for a fee in the beginning, that there may be no misunderstanding afterward, and if the money is not paid take a note for it.

"I might suggest many other hints to you, but I confide much in your discretion and in the general correctness of your ideas. Perseverance and industry will, I have no doubt, enable you to support yourself with honor, give you reputation, without which you can not succeed in the manner I have just reason to anticipate, and acquire for yourself wealth, fame and happiness."

By act of Congress, approved October 31, 1803, the President was authorized to take possession of and occupy the territory ceded by France to the United States April 30, 1803. The next act relating to Louisiana passed by Congress was to authorize the creation of a stock to pay the purchase money of sixty millions of francs, or \$11,250,000. By act of March 26, 1804, Louisiana was erected into two Territories. The portion which lay south of the Mississippi Territory, extending westward to the western boundary of the territory ceded by France, was to constitute a Territory of the United States under the name of "Orleans." The residue of the Province of Louisiana, which included the present State of Missouri, was organized under the name of the District of Louisiana, and the executive power of the district was vested in the Governor and judges of Indian Territory, who were authorized to establish, in the said District of Louisiana, inferior courts and prescribe the jurisdiction and the duties thereof, and to make all laws which they might deem conducive to the good government of the inhabitants thereof, with certain limitations therein set down. The Secretary of the Indiana Territory was made the Secretary of the District of Louisiana. In fact, what is now the State of Missouri was then practically a part of Indiana Territory.

The act of March 26, 1804, providing for erecting Louisiana into two Territories, did not provide for any legislature, but provided that the legislative power of the Territory of Orleans should be vested in the Governor and in thirteen of the most fit and discreet persons of the Territory, to be called the Legislative Council, to be appointed annually by the president of the United States from among those holding real estate, etc. The act providing for the government of the Territory of Orleans, passed March 2, 1805, changed this by providing that the Governor of said Territory should cause to be elected twenty-five representatives of the people, who, with the members of the Legislative Council, appointed and commissioned by the President, as above stated, were to constitute a "General Assembly."

The act of Congress, June 4, 1812, provided that the Territory hitherto called Louisiana, should thereafter be called Missouri, and declares

how the government of the Territory of Missouri shall be organized and administered.

The legislative power of the Territory was vested in the General Assembly, consisting of the Governor, a Legislative Council to consist of nine members, and a House of Representatives of thirteen members. The members of the council were appointed by the President of the United States, from a list of eighteen persons, submitted to him by the House of Representatives. The House of Representatives was to be composed of members elected every second year by the people. No man could be a member of the Legislative Council unless he owned in his own right two hundred acres of land in the Territory, and no man was eligible to the House of Representatives unless a freeholder in the county in which he might be elected.

For the first time in the territory acquired from France, provision was made in this act for the election by the citizens of the said territory of one delegate to the Congress of the United States. Missouri having been erected into a Territory June 4, 1812, Benjamin A. Howard, who was then Governor of the Territory of Louisiana, on the 1st day of October, 1812, issued at St. Louis, the then capital, a proclamation, declaring that the new territorial government would commence its operation on the 1st day of December of that year, and districting the Territory for thirteen members of the House of Representatives, as follows:

St. Charles, two; St. Louis, four; Ste. Genevieve, three; Cape Girardeau, two; New Madrid, two. It was declared therein that New Madrid should be the seat of justice for the future county of New Madrid, which future county would comprise the then district of New Madrid and Arkansas, the then Territory of Missouri, embracing what is now the State of Arkansas.

This proclamation fixed the election of the said House of Representatives and a territorial delegate to the Congress of the United States on the second Monday of the following month of November, 1812. This was at the time of the war with Great Britain.

At this election Edward Hempstead was elected delegate to Congress. This election took place just one week (November 2, 1812), from the opening of the second session of the twelfth Congress, to which he had been elected. On the 4th of January, 1813, he took his seat, as shown by the following entry in the journal: Monday, January 4, 1813, Edward Hempstead returned to serve as the delegate in this House from the Territory of Missouri, appeared, produced his credentials, was qualified, and took his seat." A question arose whether the delegate, thus elected, could remain a delegate after the expiration of the Twelfth Congress on the 4th of March, 1813.

The first official act of Mr. Hempstead was a motion to raise a committee of the House to inquire into the matter. Of that committee Mr. Hempstead was chairman. The practice of the House of Representatives of that date was different from that of the present time. Under the present rules and practices of the House of Representatives, the territorial delegates cannot sit on the committees of the House. On the 15th day of January, Mr. Hempstead introduced into the House certain resolutions, instructing the Committee on Public Lands to inquire into the expediency of legislation in regard to the adjudication of land claims, etc., in the Territory of Louisiana (then Missouri), and, also, instructing the same committee to inquire into the expediency of granting the right of pre-emption to actual settlers on public lands in the Territory of Missouri.

On the 29th of January, 1813, Mr. McKee, from the committee appointed on the motion of Mr. Hempstead, to inquire into the question of further legislation in regard to election of delegate from the Territory of Missouri, reported that no legislation was necessary, for the reason that the delegate having been elected for two years under the provision of the law organizing the Territory, he could hold his seat for that term; that is to say, from the second Monday in November, 1812, till the second Monday in November, 1814; that the delegate elected in pursuance of law and for the term of two years, could not be deprived of his seat by any subsequent law.

Mr. Hempstead appears to have been on other committees than the one I have referred to. He was on a committee to whom was referred the petition of Daniel Boone, and the resolutions of the legislature of Kentucky in his behalf, and made a report thereon.

The first session of the Thirteenth Congress met on the 24th of May, 1813, but Mr. Hempstead did not take his seat till the 10th of June; this session of Congress adjourned on the 2d day of August, and Mr. Hempstead's name is not connected with any measure introduced in the House during that session. Mr. Clay was the Speaker of this House.

The second session of this Thirteenth Congress convened on the 6th of December, 1813, and Mr. Hempstead was present as delegate from the Territory of Missouri. He had given his attention to a subject of vast importance to the Territory that he represented. It was the question of the final adjustment of land titles upon the bill which had been presented in the House in accordance with resolutions theretofore introduced by him. It was on this bill that he made what appears to be his only speech during his term of service. As reported in the "History of Congress," it is an able one. He treats of the questions presented with great clearness, evincing a thorough knowledge of his sub-

ject and of the questions of international law which were involved. He contended that the title to lands in Louisiana Territory, before Spain ceded it to France in 1803, should be recognized and confirmed by the United States; that the acts of the Spanish government in granting titles to lands in Louisiana Territory from the time of the cession to France in 1800, and up to the time France ceded it to the United States in 1803, should be recognized and confirmed by the United States. France had never taken possession of the country ceded by Spain in 1800, but had left the latter country in the full exercise of its sovereignty up to the time of the cession to the United States in 1803. Former acts of Congress had cut off all of these grants made by the Spanish government, violating, as he contended, not only the treaty with France, but the well known principles of international law. Mr. Hempstead characterized this law as "the violation of every principle either of law or equity; it declared that which had been legally commenced under another government to be null and void; it made void the proceedings of a power in the just exercise of its sovereignty. Instances have often occurred, where what had been lawfully begun, but not completed, has been sanctioned and acknowledged, especially when it depended on the performance of conditions which subsequent events had made it impossible to perform, but never could a lawful act be made unlawful. A right once vested could not, without any fault of the claimant, be either at law or in equity divested;" such a principle changed the nature of things, and was, therefore, odious. "Would," asked Mr. Hempstead, "the Spanish government have sanctioned the grants made by its officers? If so, they ought now to be sanctioned; without the solemn stipulations of the treaty to support it, policy alone would dictate such a course." He appealed in behalf of his constituents: "Liberality will secure the affections of those you have made a part of your family; it will root old attachments, while a more rigid plan will occasion distrust and dissatisfaction, and the change will be regarded as injurious. No national benefit can result from this rigor; a few acres of land to the United States are nothing, but taken away from individuals may cause distress and ruin. Many of them are strangers to your language and unacquainted with your laws; their affections ought not to be estranged when extending justice to them will secure their confidence." Mr. Hempstead then showed the injustice of other laws which had been passed on this subject: "They had been so amended and altered by so many different statutes that difficulties had been increased instead of diminished. It could not be denied that the people of his Territory were in a worse situation in that respect than others. It now remains for me, Mr. Speaker, to consider very briefly whether the present bill will do full and complete justice to the claimants.

During the ten years of scrutiny and investigation, few have made improvements. Many families, despairing of obtaining their equitable claims, and tired of the uncertainties attending their titles, have abandoned a country which cannot prosper without the fostering aid of the government, and, if the delay of justice has not, in all cases, been equal in its consequences to an absolute denial of it, still it has caused much distress and injury. The present bill will quiet the apprehensions of most of the claimants, and although it will neither satisfy nor do justice to all, yet it will restore that confidence which has been much impaired, and will do what the national faith is pledged to do." The act of Congress, which Mr. Hempstead had introduced, and so ably and strenuously advocated, became a law on the 12th day of April, 1814. It was a law of transcendent importance to the people of the Territory of Missouri, for it confirmed "the incomplete Spanish grants or conceptions, or any warrant or order of survey for lands lying within the Territory of Missouri prior to March 10, 1804," which was the date when the sovereignty of France over Upper Louisiana passed to the sovereignty of the United States. The act also provided for giving to the settlers of Missouri Territory the right of pre-emption to public lands, a beneficent act which extended the principle which had been applied to other Territories.

Mr. Hempstead's name does not further appear in the proceedings of this session of Congress, which adjourned on the 18th day of April, 1814, to meet on the last Monday of the following October. Mr. Madison, however, called an extra session of Congress to meet on the 19th of September, 1814. Mr. Hempstead seems not to have taken his seat at this extra session of Congress, and probably for the reason that the term of two years for which he was elected would expire in about six weeks after the meeting of said extra session.

Mr. Hempstead, as I have said before, took his seat as delegate in Congress from the Territory of Missouri on the 4th of January, 1813. Let us take a glance at the members who composed this house, and we will find many of the great names of this country. We may well say: "There were giants in those days." Henry Clay was speaker; from New Hampshire there was Samuel Dinsmore, and from Vermont, Martin Chittenden; from Rhode Island, Elisha R. Potter, men afterward so distinguished in their own States; from New York, Url Tracy; from Pennsylvania, Jonathan Roberts; from Maryland, Philip Barton Key; from Virginia, John Randolph, Burwell Bassett and James Pleasants, Jr. That great man Nath. Macon, was a member from North Carolina, and, also, Wm. R. King, afterward Senator from Alabama and Vice-President of the United States; from South Carolina, there was John C. Calhoun, Wm. Loundes and Longton Cheves; from Kentucky, be-

sides Mr. Olay, the Speaker, were Richard M. Johnson and Joseph Desha. In the thirteenth Congress, for a part of which Mr. Hempstead was a member, there were other distinguished names. Daniel Webster, from New Hampshire; Richard Skinner, from Vermont; Charles J. Ingersoll, from Pennsylvania; John Forsythe, from Georgia, and John McLean, subsequently Justice of the Supreme Court of the United States, from Ohio, and John W. Taylor, from New York, afterward Speaker of the House of Representatives.

Mr. Hempstead, having successfully accomplished the objects for which he was sent to Congress, declined a re-election, and returned to the practice of his profession, and to the performance of all the duties of a good citizen. In this latter capacity he showed his disposition to be useful to his country by accepting inferior stations, after having retired from the highest which the vote of his fellow citizens could confer upon him. He went out in several expeditions to protect the frontiers from the Indians during the war which followed, and afterward served in the General Assembly of the Territory, of which he was elected speaker in the popular branch.

The service of Mr. Hempstead as delegate was for two years—from November 12, 1812, till November 12, 1814. Rufus Easton succeeded him, and took his seat in the House on November 16, 1814, four days after the expiration of Mr. Hempstead's term. This was in the thirteenth Congress.

John Scott succeeded Mr. Easton as a delegate to the fourteenth Congress, and took his seat on the second day of December, 1816. His seat was contested by Rufus Easton. The committee reported that Mr. Scott was not entitled to the seat, and that Mr. Easton was entitled to it. The House overruled the committee, and decided by a vote of 79 to 68, that Mr. Easton was not entitled to his seat, but also adopted a resolution declaring the seat vacant, and refused to pass a resolution ordering a new election for the Territory. It is a somewhat singular fact that the two first delegates for Missouri Territory to Congress were Connecticut men, Edward Hempstead and Rufus Easton. Mr. Easton filled a long space in the earlier as well as the latter history of Missouri. I have often heard Mr. Charles S. Hempstead, who was for many years my law partner, speak of Mr. Easton, who was a member of the St. Louis bar at the same time as himself. He described him as a man of such unrivaled conversational power that none who ever met him forgot the fascinating flow of his words. Judge Bay, in his interesting reminiscences of the bench and bar of Missouri, says that Mr. Easton served Missouri as a delegate to Congress for four years. In that he is mistaken, for Mr. Easton only served for one term. The three delegates that the Territory of Missouri had in Congress were Edward Hempstead,

Rufus Easton and John Scott, and it is safe to say that no Territory of the United States was ever so ably represented. The canvass for delegate to Congress for the Territory of Missouri, in the summer of 1816, was between Rufus Easton and John Scott.

Mr. Hempstead was the friend and supporter of Mr. Scott, and entered warmly into the canvass in his behalf. In returning from St. Charles to St. Louis a day or two before the election, which was on Monday August 4, 1817, he was thrown from his horse, and received what was supposed to but a slight injury on his head. He was able, however, to continue his journey home, and afterwards to attend to his usual business. The injury received was, however, far more serious than was at first supposed. In arguing a cause in court on the 9th of August, he was stricken down with congestion of the brain, the undoubted result of his being thrown from his horse; falling senseless, he lingered until half-past 12 o'clock Sunday morning, when he expired. I copy a mournful entry made by his venerable father, Stephen Hempstead, in his dairy, dated August 9, 1817: "Went into St. Louis, this afternoon, and found my son Edward in a fit of apoplexy, and not able to speak. Every medical aid was used to restore his system again, but to no purpose. He continued until half-past 12 o'clock and expired in the bloom of life at the age of 37 years and 3 months." His funeral took place on Monday, the 11th of August, on the farm of his father, five miles from town, which now constitutes the Bellefontaine cemetery. I copy another entry made in the same diary, dated Monday, August 11, in relation to the funeral: "The funeral was attended by a very numerous collection of people of every description whose faces were uniformly wet with tears of sorrow for their departed friend. The neighbors in the country were generally collected at my house for the funeral. Mr. Giddings made a prayer, and committed to the grave the remains of a beloved son, cut down suddenly in the prime of life and usefulness, a great loss to my family, but much greater to the Territory and public in general."

The following obituary notice appeared in The Missouri Gazette of August 16, 1817:

"Died, on Sunday night last, after a short illness, Edward Hempstead, Esq., counsellor and attorney at law, and formerly a delegate from this Territory to Congress. In the dear relation of husband, son and brother, the deceased is believed to have fully acted up to his duty. The sorrow of his widow and relations offered the most eloquent expression of his worth. On Monday the corpse of the deceased was attended to the place of interment (at the plantation of his father, Stephen Hempstead, Esq.,) by a greater number of respectable citizens than we have ever witnessed here on a similar occasion."

The Rev. Salmon Giddings delivered the funeral sermon on Mr. Hempstead on August 17, 1817. It was an eloquent and feeling tribute to the worth of the deceased. After alluding to his settlement in Louisiana Territory, he says :

“ Here, by his diligent attention to business, he had acquired a fortune, and by his virtuous conduct had gained the confidence and esteem of his fellow citizens. In the private walks of life few shone so bright. He was modest and unassuming, and endeared to all around him by a thousand tender ties. As his influence was extensive, he used it for the peace and benefit of society. In him the oppressed found a protector, and the poor a benefactor. * * * His professions of friendship were few but sincere, and his attachments ardent. Those who knew him best esteemed him most. * * * Few men were so exemplary in their lives. As a son he was most dutiful and affectionate. Few, very few, have done in that capacity what he did. As a husband he was kind and indulgent, pleasing and agreeable. * * * As a professional character he shone conspicuous. His talents were rather solid than splendid. Of quick apprehension, a discriminating mind and clear judgment, his counsel was much sought and highly esteemed. He was surpassed by few in his profession, and in whatever sphere he was called to act he shone with more than common lustre. His loss is not only individual but public. The oppressed have lost a protector, the poor a benefactor, the rich an amiable and agreeable companion, a wise and prudent counselor, the vicious a reprovcr, virtue a friend and the Territory one of its brightest ornaments.”

The cotemporaries of Mr. Hempstead in the Territory of Upper Louisiana, and afterwards Missouri, at the bar, and in the field of politics, were men of great ability and who have left an indelible impression upon your history.

They were Thomas H. Benton, Rufus Easton, John Scott, J. B. C. Lucas, David Barton, Edward Bates, Luke E. Lawless and Robert Wash. Though they have all long since gone to that “undiscovered country, from whose bourne no traveler returns,” their names and their memories shall live so long as Missouri shall have a place in history.

I have thus sketched imperfectly, and, I fear, tediously, the career of Edward Hempstead, whose name is honorably associated with the earliest history of your State. His record as a citizen, a lawyer and a public servant, reveals a man whose memory the people of Missouri will cherish with feelings of pride and gratitude.

The portrait presented to your State may assist in perpetuating the remembrance of one who rendered great and important service to the infant Territory of Missouri, and one who in every position of his life exhibited all those qualities which challenge the admiration and respect of mankind.

“The man resolved and steady to his trust,
Inflexible to ill, and obstinately just.”

Governor Crittenden, Senators and Representatives, Ladies and Gentlemen: I cannot close without tendering to you my profound acknowledgments for all the cordiality of your reception. I visit the Capitol of your great State for the first time, and am particularly fortunate in being here when your Legislature is in session, as it has enabled me to meet so many gentlemen who I am most happy to know. I shall bear with me the most agreeable souvenirs of your kindness, and always guard the recollection your gracious hospitality.

ACCEPTANCE IN BEHALF OF THE STATE.

At the conclusion of the address, Gov. Crittenden stepped forward, accepted the portrait, and said:

Mr. President, Mr Washburn, Senators and Representatives, Ladies and Gentlemen:

In the name of the people of the State of Missouri, I sincerely thank the distinguished gentleman to whose splendid address we have just listened with much interest and pleasure, and I now commission him, in the name of the citizens of this commonwealth, to bear to the generous donor of this portrait our heartfelt thanks. Mr. Washburn, upon your presentation to the Senate on yesterday, it was truthfully said of you that your name and reputation belonged to our common country; but we have another and a stronger reason for reciprocating your fraternal sentiments. You come from a State from which we are only separated by a narrow stream. We proudly refer to the Mississippi as the grandest river upon the face of the earth, but its commercial importance, in which Missouri and Illinois are equally interested, but serves to strengthen our feelings and to render more certain a reciprocity upon our part of every sentiment you have uttered manifesting an interest in the welfare of our beloved State. No words of mine can convey to you or to the gentleman whom you represent an adequate conception of our appreciation of his gift. This occasion and the address made by Mr. Washburn are important, not alone as marking an episode in the life of Missouri, but they have a historic value. Much that was never before known, save to a favored few, is now a part of our history; and when in years to come we shall look

upon the portrait of Hon. Edward Hempstead, the first delegate in Congress from the Territory of Missouri, we will, by the untarnished record of his pure life, be incited to loftier aims and more exalted purposes. And, sir, [to Mr. Washburn], as the same waters which wash the shores of Illinois lave the borders of Missouri and then meet and mingle in their onward sweep to the gulf, forming as they go a mighty artery of commerce, so may the mutuality of good will and fraternal feelings which now characterize the people of these sister States form a still closer bond of union between us as we sweep onward to a common eternity. Again I thank you.

Senator Heard offered the following resolution :

Resolved, That fifteen thousand (15,000) copies of the address of Hon. Elihu B. Washburn, together with the response of Governor Thos. T. Crittenden, be printed ; ten thousand copies for the use of the General Assembly, and five thousand copies for the use of Mr. Washburn.

Which was read and unanimously adopted by the Senate and House of Representatives in joint session.

Mr. McGinnis offered the following :

Resolved, That the grateful thanks of the people of Missouri be tendered the Hon. E. B. Washburn for the interesting and instructive address with which he has accompanied his presentation to the State of the portrait of the Hon. Edward Hempstead, the first delegate in Congress from the Territory of Missouri, as well as to Mr. Edward Hempstead of Illinois, the donor of the portrait, for his valuable gift.

Read and unanimously adopted.

The President directed that the address of Hon. E. B. Washburn and the response of Gov. Crittenden be spread upon the journal of the Senate and House of Representatives.

On motion of Mr. McGinnis (of the House), the joint session dissolved.

The Senate returned to the Senate Chamber, and was called to order by the President.

Senator Edwards of St. Charles moved, that when the Senate adjourn, it adjourn until 10 o'clock to-morrow morning ; agreed to.

On motion of Senator Bradley, the Senate adjourned.

TWENTY-FIFTH DAY—FRIDAY, February 4.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

Senator Edwards of St. Charles presented a petition from citizens of St. Charles and Portage township, of the county of St. Charles, against the renewal of the charter of the St. Charles and Marie Croche Rock Road Company; which was referred to the Committee on Banks and Corporations.

Senator Mackay presented a memorial from the First Congregational Church of Brookfield, Missouri, asking the submission of a constitutional amendment prohibiting the importation, manufacture and sale of intoxicating liquors in the State of Missouri; which was referred to the Committee on Constitutional Amendments.

Senator Dobyns was granted leave of absence until Tuesday.

Senator Perkins was granted leave of absence for one week.

Senator Naylor introduced Senate bill No. 110, entitled "An act to amend sections 6057 and 6060, art. 5, chap. 119 of Revised Statutes of Missouri, 'Of taxation of insurance companies;'" which was read first time and 50 copies ordered printed.

Senator Jacobs introduced Senate bill No. 111, entitled "An act to amend section 815, art. 2, chap. 21, Revised Statutes of Missouri, concerning discrimination allowed in the shipment of grain;" which was read first time and 50 copies ordered printed.

Senator Edwards of Lafayette introduced Senate bill No. 112, entitled "An act for the completion, improvement and furnishing necessary heating apparatus and furniture for the Normal School Building of the Second District, and to appropriate money therefor;" which was read first time and 50 copies ordered printed.

Senator Rouse introduced Senate bill No. 113, entitled "An act to amend sections 3486, 3487, 3488 and 3489, art. 4, chap. 59, Revised Stat-

utes, entitled 'Of practice in civil cases;'" which was read first time and 50 copies ordered printed.

Senator Byrns introduced Senate bill, No. 114, entitled "An act to amend section 3046, art. 9, chap. 44 of the Revised Statutes of Missouri entitled 'Of justices courts;'" which was read first time and 50 copies ordered printed.

Senator Byrns introduced Senate bill No. 115, entitled "An act to amend section 1819, article 18, chapter 24 of the Revised Statutes of Missouri, concerning 'Crimes and criminal procedure;'" which was read first time and 50 copies ordered printed.

Senator Mabrey introduced Senate bill No. 116, entitled "An act authorizing counties having a past due indebtedness for the the building of court houses and jails to refund the same and at a lower rate of interest;" which was read first time and 50 copies ordered printed.

Senator McMahan submitted the following report from the Committee on Agriculture; which was read:

MR. PRESIDENT: Your Committee on Agriculture to whom was referred Senate bill No. 28, entitled "An act to discourage the keeping of useless and sheep killing dogs, and to provide indemnity for damages done by same," beg leave to report that they have considered the same and have instructed me to report the same back to the Senate with the accompanying substitute, and recommend that the substitute do pass.

The bill so reported, being Senate bill No. 28, not being called for, the substitute offered by the committee was taken up, read first and second times, adopted, and ordered engrossed.

Senator Stephens submitted the following report from the Committee on Roads and Highways, which was read:

MR. PRESIDENT: Your Committee on Roads and Highways to whom was referred Senate bills Nos. 42 and 44, entitled "An act to amend sections 4314, 4316, 4317, 4320, 4321, 4322 and 4323, chapter 84 of the Revised Statutes of Missouri, entitled 'Of bridges,'" beg leave to report that they have considered the same, and recommend that the accompanying substitute do pass.

The bills so reported, being Senate bills Nos. 42 and 44, not being called for, the substitute reported by the committee was taken up, read first and second times and adopted and the bill ordered engrossed.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was laid over informally and 300 copies ordered for the use of the Senate:

MR. PRESIDENT: Your Committee on Ways and Means to whom

was referred the resolution hereto attached, referring to the accounts and settlement of the late Treasurer of the State of Missouri, Elijah Gates; beg leave to report that they have considered the same, and in answer to the inquiries therein made, would state for the information of the Senate:

1st. That the report of the committee appointed by Ex-Governor Phelps to settle with the State Auditor and State Treasurer, shows the condition of the finances of the State on the 31st day of December, 1880.

2d. That said report shows the amount of money turned over to Philip E. Chappell and also the amount deposited in the Bank of Commerce by Calvin F. Burns on the 10th day of January, 1881, without showing the receipts and disbursements for the first ten days of January, 1881.

3d. That the receipts of money into the treasury for the first 10 days of January, 1881, amounted to the sum of \$10,180.19, that the disbursements of money from the treasury for the first 10 days of January, 1881, amounted to the sum of \$22,927.03; that the disbursements for the first ten (10) days of January, 1881, exceeded the receipts for the said period in the sum of \$12,746.84; all of which is more fully shown by the tabulated statement hereto appended, marked "Exhibit A," and made a part of this report.

"EXHIBIT" A.

Statement of receipts and disbursements of the State Treasurer to January 10, 1881, inclusive:

RECEIPTS.

Balance found due January 1, 1879.....	\$472, 465 92
Receipts during the year 1879.....	3, 150, 355 03
Receipts during the year 1880.....	2, 815, 581 36
Receipts for the 10 days in 1881.....	10, 180 19
Total.....	\$6, 448, 582 50

DISBURSEMENTS.

Warrants paid in the year 1879.....	\$2, 984, 247 00
Warrants paid in the year 1880.....	2, 922, 639 35
Warrants paid in 10 days, 1881.....	22, 927 03
Balance in Treasury, January 10, 1881.....	518, 769 12
Total.....	\$6, 448, 582 50

This amount belongs to the following funds :

State revenue fund.....	\$279,118 58
State interest fund.....	78,830 18
State school fund.....	792 66
State school moneys.....	121,922 11
State seminary fund.....	95 08
Executors and administrators fund.....	17,822 18
Redemption of land fund.....	9 58
Insurance department fund.....	149 15
Road and canal fund.....	117 16
Earnings penitentiary.....	20,000 00

Total.....	\$518,769 12
-------------------	---------------------

The balance \$518,769.12 is deposited and held as follows :

In the Bank of Commerce St. Louis.....	\$332,485 96
In the Mastin Bank, Kansas City.....	183,522 65
In the vaults of Treasury.....	2,760 51

Total.....	\$518,769 12
-------------------	---------------------

Amount turned over to Phil. E. Chappell, Treasurer.....	\$335,246 42
Amount in Mastin Bank.....	188,522 65

Total.....	\$518,769 12
-------------------	---------------------

Disbursements 10 days, January, 1881.....	\$22,927 08
Receipts 10 days, January, 1881.....	10,180 19

\$12,746 84

Balance on January 1, 1881.....	531,515 69
Less disbursements in January.....	12,746 84

Balance found January 10, 1881.....	\$518,769 12
--	---------------------

Which was read.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence to whom was referred Senate bill No. 40, entitled "An act to amend section 1318, article three of chapter twenty-four of the Revised Statutes of the State of Missouri, in relation to 'Crimes and criminal procedure,'" beg leave to report that they have considered the same, and recommend that the accompanying substitute do pass.

The bill so reported, being Senate bill No. 40, not being called for, substitute offered by the committee was taken up, read first and second times and Senator Rogers offered the following amendment:

Strike out the words "provided that no woman shall be punished by stripes;" which was read first and second times, and Senator Heaston moved to lay the amendment on the table.

The ayes and noes being demanded, the motion was lost by the following vote :

AYES—Senators Allen, Caldwell, Dungan, Gottschalk, Headlee, Heaston, Hutt, Jacobs, Lloyd, McMahan, Mabrey, Manistre, Rogers and Stephens—14.

NOES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Cottey, DeArmond, Edwards of Lafayette, Edwards of St. Charles, Heard, McGrath, Mackay, Manring, Morrisson, Naylor, Pehle, Rouse and Walker—18.

ABSENT ON LEAVE—Senators Dobyys and Perkins—2.

Senator Jacobs moved that the further consideration of the bill be indefinitely postponed.

The ayes and noes being demanded, the motion was lost by the following vote :

AYES—Senators Allen, Caldwell, Dungan, Gottschalk, Headlee, Heaston, Hutt, Jacobs, Lloyd, McMahan, Mabrey, Manistre and Stephens—13.

NOES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Cottey, DeArmond, Edwards of Lafayette, Edwards of St. Charles, Heard, McGrath, Mackay, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse and Walker—19.

ABSENT ON LEAVE—Senators Dobyys and Perkins—2.

The question then recurring upon the adoption of the amendment and the ayes and noes being demanded, it was lost by the following vote :

AYES—Senators Bryant, Jacobs, McGrath and Rogers—4.

NOES—Senators Allen, Bradley Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rouse, Stephens and Walker—28.

ABSENT ON LEAVE—Senators Dobyys and Perkins—2.

Senator Bland offered the following amendment :

Amend by striking out the word "woman," in the last line of section one, and insert in lieu thereof the word "female;" which was read first and second times.

Senator Gottschalk moved to lay on the table.

The ayes and noes being demanded, the motion was lost by the following vote :

AYES—Senators Allen, Caldwell, Dungan, Gottschalk, Heaston, Hutt, Lloyd, Mabrey, Manistre and Stephens—10.

NOES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Cottey, DeArmond, Edwards of Lafayette, Edwards of St. Charles, Heard,

Jacobs, McGrath, McMahan, Mackay, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse and Walker—21.

ABSENT—Senator Headlee.

ABSENT ON LEAVE—Senators Dobyms and Perkins—2.

The amendment was then adopted.

Senator Heaston moved that the further consideration of the bill be postponed until the 4th day of July, 1881.

The ayes and noes being demanded, the motion was lost by the following vote:

AYES—Senators Allen, Bryant, Cabell, Caldwell, Dungan, Gottschalk, Headlee, Heaston, Hutt, Jacobs, Lloyd, McMahan, Manistre, Rogers and Stephens—15.

NOES—Senators Bradley, Byrns, Bland, Cottey, DeArmond, Edwards of Lafayette, Edwards of St. Charles, Heard, McGrath, Mabrey, Mackay, Manring, Morrisson, Naylor, Pehle and Rouse—16.

ABSENT—Senator Walker.

ABSENT ON LEAVE—Senators Dobyms and Perkins—2.

The Senate then refused to order the bill to engrossment by the following vote:

AYES—Senators Bradley, Byrns, Bland, Cottey, DeArmond, Edwards of Lafayette, McGrath, Mackay, Manring, Pehle and Rouse—11.

NOES—Senators Allen, Bryant, Cabell, Caldwell, Dungan, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McMahan, Mabrey, Manistre, Morrisson, Naylor, Rogers and Stephens—20.

ABSENT—Senator Walker.

ABSENT ON LEAVE—Senators Dobyms and Perkins—2.

Senator Cottey submitted the following report from Committee on Ways and Means; which was read.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 61, entitled "An act to amend an act entitled an act to enable counties, cities, townships and towns to fund all or any part of their bonded debt and unpaid subscriptions to the capital stock of any railroad company, after first submitting the same to a vote of the qualified voters thereof, and to create a sinking fund for the payment of such funded indebtedness, and repealing certain acts, approved March 27, 1775, April 12, 1877, and April 14, 1877, and all other acts and parts of acts inconsistent with this act, approved May 16, 1879," beg leave to report that they have considered the same, and recommend that it do not pass.

The bill so reported, being Senate bill No. 61, was taken up and, on motion of Senator Cottey, was indefinitely postponed.

Senator Cottey submitted the following report from Committee on Ways and Means ; which was read.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 22, entitled "An act to amend section 7623 of article 1, chapter 164 of the Revised Statutes of Missouri, entitled 'Lost warrants, how renewed,'" beg leave to report that they have considered to same, and recommend that it do not pass.

The bill so reported, being Senate bill No. 22, was taken up and, on motion of Senator Cottey, was indefinitely postponed.

Senator Heard moved that when the Senate adjourn it adjourn until 10 o'clock to-morrow morning. Agreed to.

On second reading of Senate bills the following were taken up, read the second time and referred :

Senate bill No. 102, to Committee on Judiciary.

Senate bill No. 104, to Committee on Judiciary.

Senate bill No. 101, to Committee on Judiciary.

Senate joint and concurrent resolution No. 8, to Committee on Constitutional Amendments.

Senate bill No. 89, to Committee on Retrenchment and Reform.

Senate bill No. 90, to Committee on Criminal Jurisprudence.

Senate bill No. 91, to Committee on Education.

Senate bill No. 93, to Committee on Criminal Jurisprudence.

Senate bill No. 94, to Committee on Ways and Means.

Senate bill No. 95, to Committee on Agriculture.

Senate bill No. 97, to Committee on Blind Asylum.

Senate bill No. 99, to Committee on Banks and Corporations.

By unanimous consent, Senator Rouse introduced Senate bill No. 117, entitled "An act to amend section 3514, article 5, chapter 59, Revised Statutes, entitled 'Of practice in civil cases ;'" which was taken up, read first time and 50 copies ordered printed.

On motion of Senator Hutt the Senate adjourned until to-morrow morning at 10 o'clock.

TWENTY-SIXTH DAY—SATURDAY, February 5.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

Senator Heard presented a petition from ministers of the Gospel residing in the State of Missouri, asking a change in the marriage law of the State, which was referred to the Committee on Criminal Jurisprudence.

Senator Bryant presented a petition from citizens of Jackson county praying to the 31st General Assembly to perfect our school laws; which was referred to the Committee on Education.

Senator Edwards of St. Charles introduced Senate bill No. 118, entitled "An act to amend sections 841 and 846, article 3, chapter 21 of the Revised Statutes of Missouri of 1879, entitled 'Railroad classification—charges—commissioners;'" which was read first time and ordered not printed.

Senator Stephens introduced Senate bill No. 119, entitled "An act to amend section 2343, chapter 32 Revised Statutes, entitled 'Of Executions;'" which was read first time and 50 copies ordered printed.

Senator Edwards of St. Charles introduced Senate bill No. 120, entitled "An act to amend sections 833, 838 and 842, article 3, chapter 21 of the Revised Statutes of Missouri, entitled 'Railroad classification—charges—commissioners;'" which was read first time and 50 copies ordered printed.

Senator Heard submitted the following report from the Committee on Banks and Corporations:

MR. PRESIDENT: Your Committee on Banks and Corporations, to whom was referred Senate bill No. 48, entitled "Act to amend sections 4937 and 4938, article five (5) of chapter 89 of the Revised Statutes of 1879, concerning cities, towns and villages," beg leave to report that they have considered the same, and report the same back with the accompanying substitute, and recommend that the substitute do pass.

The bill so reported, being Senate bill No. 48, not being called for,

the substitute offered by the committee was taken up, read first and second times and adopted.

Senator Heard offered the following amendment:

Amend by striking out the words "the State in which such city is located," wherever they occur in the substitute, and insert instead the words "this State;" which was read first and second time, and adopted and the bill ordered engrossed.

Senator Jacobs submitted the following report from the Committee on Blind Asylum, which was read:

MR. PRESIDENT: Your Committee on Blind Asylum, to whom was referred Senate bill No. 97, entitled "An act to amend sections 5901 and 5912, chapter 21 of article 3 of the Revised Statutes of Missouri, entitled 'Of institutions,'" beg leave to report that they have considered the same and recommend that they do pass.

The bill so reported, being Senate bill No. 97, was taken up and ordered engrossed.

Senator Edwards of St. Charles submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred joint and concurrent resolution No. 2, entitled "Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to use all means in their representative capacity to establish an efficient territorial government in the Indian Territory, and to open the lands in said territory belonging to the government to settlement under the homestead and pre-emption laws of the United States," beg leave to report that they have compared the same, and find it truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Edwards of St. Charles submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 57, entitled "An act to amend sections 5371, 5372 and 5407, article 4, chapter 95 of the Revised Statutes of Missouri, entitled 'Of counties,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Edwards of St. Charles submitted the following report from the Committee on Engrossed Bills:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 13, entitled "An act to repeal section 1804 of the Revised Statutes of Missouri," beg leave to report that they have

compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

An executive message was received from the Governor through his Private Secretary, Mr. Farr.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 101, entitled "An act to amend section twenty-two (22), article 1, chapter 1 of the Revised Statutes of Missouri, relating to administration, beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported, being Senate bill No. 101, was taken up and ordered engrossed.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 66, entitled "An act to amend section 7631, article one (1) of chapter 164 of the Revised Statutes, entitled 'Of the State Treasury,'" beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment.

The bill so reported being Senate bill No. 66, was taken up and the following amendment offered by the committee: Amend printed bill, section one (1), line eleven (11), by adding after the word "State," at the end of said section the following words, to wit: "On which the State is held or bound for the payment of interest," was read first and second times, and, on motion of Senator Cabell, the bill was laid over until next Monday.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 107, entitled "An act to amend section 4358, article two of chapter eighty-seven of the Revised Statutes of Missouri, entitled 'Of the restraint of diseased and Texas cattle,'" beg leave to report that they have considered the same, and a majority of the committee recommend that it do pass.

The bill so reported being Senate bill No. 107, was taken up and ordered engrossed.

Senator Walker submitted the following report from the special committee authorized by resolution to rent rooms for use of committees, which was read:

MR. PRESIDENT: Your committee to procure rooms for the standing committees of the Senate, beg leave to report that they have rented two rooms from Mrs. Waters, one for the Committee on Criminal Jurisprudence and the Committee on Internal Improvements, at \$20 per month, from February 15, 1881; the other for the Committee on Insurance and Committee on Penitentiary, at \$15 per month, from February 5th, 1881.

On motion of Senator Manring, the Senate went into executive session at 10:50 o'clock.

At 10:55, the Senate resumed its regular session.

Senators Bland, Headlee and Heaston were granted leave of absence until Tuesday.

Senator DeArmond called up Senate bill No. 64, and Senator Morrison offered the following amendment:

Substitute for Senate bill No. 64:

Strike out all after the enacting clause and insert the following:

"Section 1. In all cases when the General Assembly fail to approve the report, or any part thereof, of the committee selected by the Governor to settle with the Auditor and Treasurer, and to examine into the condition and affairs of other State officers, as provided by law, the General Assembly then in session, or the next succeeding General Assembly shall appoint a special committee, to consist of one member of the Senate, to be named by the president of the Senate, and two members of the House, to be named by the Speaker of the House, which committee shall proceed to make such settlement, or to correct and adjust such part of said report as may not have been approved by the General Assembly, as provided in section seven thousand six hundred and six of the Revised Statutes, and report such statement to the General Assembly, if in session, but if the General Assembly be not in session, then in duplicate to the Governor, who shall submit such report to the two Houses of the General Assembly at its next meeting thereafter, to be proceeded on as is provided in section seven thousand six hundred and six of the Revised Statutes, relating to settlements with the Auditor and Treasurer.

"Sec. 2. In case the committee selected by the Governor to settle with the State Auditor and State Treasurer, and to inquire into the condition and affairs of the other State officers, fail to report to the General Assembly, as required by the provisions of section seven thousand six hundred and five of the Revised Statutes, or should the Governor fail or neglect to appoint such committee, the General Assembly

shall, immediately after its organization, appoint a committee as provided in the first section of this act; in cases of failure of the General Assembly to approve the report, or any part thereof, of any committee appointed by the Governor under the provisions of section seven thousand six hundred and two of the Revised Statutes, which committee shall proceed to make such settlement in all respects the same, and governed by the same rules as provided by law for making settlement with the Auditor and Treasurer, and report such settlement to the General Assembly, if in session when such settlement is completed, but if the General Assembly be not in session when such settlement is completed, then said committee shall report the same, in duplicate, to the Governor, who shall submit said report to the two Houses of the next General Assembly, to be proceeded on by such Assembly as is provided by law.

"Sec. 3. The special committee provided for in sections one and two of this act shall receive for their services the same compensation as is or may be fixed by law for the pay of the committee selected by the Governor to make settlement with the State Auditor and State Treasurer under existing law: Provided, that if such settlement is made during the session of the General Assembly creating such committee, no additional per diem or compensation shall be allowed any member of such committee.

"Sec. 4. The report of the committee selected to settle with the Auditor and Treasurer, for the years 1877 and 1878, not having been approved by the General Assembly, by reason of which failure no settlement was made with those officers for the years named, to the end that such settlement may be made as soon as possible, creates an emergency for the immediate taking effect of this act; therefore this act shall take effect and be in force from and after its passage."

Senator Morrisson moved that the substitute be printed for the information of the Senate.

Ayes and noes being demanded, the motion to print was carried by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Cabell, Cottey, Edwards of Lafayette, Edwards of St. Charles, Lloyd, McMahan, Morrisson, Naylor, Rogers, Rouse and Walker—14.

NOES—Senators Allen, Caldwell, DeArmond, Dungan, Gottschalk, Heard, Hutt, Jacobs, Mabrey, Manistre, Manring, Pehle and Stephens—13.

ABSENT ON LEAVE—Senators Bland, Dobyns, Headlee, Heaston, McGrath, Mackey and Perkins—7.

Senator Rogers moved that when the Senate adjourn, it adjourn until Monday morning, 10 o'clock; carried.

On the second reading of bills, Senate joint and concurrent resolution No. 9 was read second time, and Senator Edwards of St. Charles offered the following amendment:

Amend by inserting after the word "librarian," the following: "for the use of the law department of said university;" which was read first time and adopted, and the bill referred to Committee on State University.

On second reading of Senate bills, the following were taken up, read the second time and referred:

Senate bill No. 96, to Committee on Ways and Means.

Senate bill No. 98, to Committee on Ways and Means.

Senate bill No. 100, to Committee on Criminal Jurisprudence.

Senate bill No. 103, to Committee on Judiciary.

Senate bill No. 104, to Committee on Banks and Corporations.

Senate bill No. 105, to Committee on Criminal Jurisprudence.

Senate bill No. 106, to Committee on Judiciary.

Senate bill No. 6 was taken up, and the following House amendments, the same having been printed for the use of the Senate, were taken up:

Amendment No. 1—Strike out the word "traveling" in line three of section 4 of the printed bill; was read, and the Senate refused to concur therein by the following vote:

AYES—Senators Allen, Bryant, Gottschalk, Pehle and Rouse—5.

NOES—Senators Bradley, Byrns, Cabell, Caldwell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Heard, Hutt, Jacobs, Lloyd, McMahan, Mabrey, Manistre, Manring, Morrisson, Naylor, Rogers, Stephens and Walker—22.

ABSENT ON LEAVE—Senators Bland, Dobyns, Headlee, Heaston, McGrath, Mackey and Perkins—7.

Amendment No 2, as follows: Amend section 3 by striking out the words, "as soon after it convenes as may be practicable," in the eighth and ninth lines of said section, and insert in place thereof the words, "during the first week of its regular session," so that said section, when amended, shall read as follows: "Sec. 3. The committee shall be authorized to administer oaths and examine persons under oath, touching the management and administration of the affairs of said institutions, and shall have free access to all the papers, books and records of said institutions; said committee shall make a report of such

visitation and examination to the General Assembly during the first week of its regular session, showing the condition and management of said institutions, the receipts of money from all sources and the disbursement of the same, and such other facts and recommendations as may be deemed pertinent for the information of the General Assembly;" was read, and the Senate refused to concur therein by the following vote:

AYES—Senators DeArmond, Gottschalk, Lloyd, Manring and Rouse—5.

NOES—Senators Bradley, Bryant, Byrns, Cabell, Caldwell, Cottey, Dungan, Edwards of Lafayette, Edwards of St. Charles, Heard, Hutt, Mabrey, Manistre, Morrisson, Naylor, Pehle, Rogers, Stephens and Walker—20.

ABSENT—Senator Jacobs.

ABSENT ON LEAVE—Senators Bland, Dobyns, Headlee, Heaston, McGrath, Mackay and Perkins—7.

SICK—Senator McMahan—1.

On third reading of Senate bills, Senate joint and concurrent resolution No. 2, being Senate joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to use all means in their representative capacity to establish an efficient territorial government in the Indian Territory, and to open the public lands in said territory belonging to the government to settlement under the homestead and pre-emption laws of the United States, was taken up and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Cabell, Caldwell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Heard, Jacobs, Lloyd, Mabrey, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse, Stephens and Walker—23.

NOES—Senators Allen, Gottschalk and Hutt—3.

ABSENT ON LEAVE—Senators Bland, Dobyns, Headlee, Heaston, McGrath, Mackay and Perkins—7.

SICK—Senator McMahan.

Title of bill read and agreed to.

Senator Morrisson moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; which latter motion prevailed.

Senate bill No. 13, entitled "An act to repeal section 1804 of the Revised Statutes of Missouri concerning crimes and criminal proce-

ture," was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Cabell, Caldwell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Hutt, Jacobs, Lloyd, Mabrey, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse, Stephens and Walker—26.

ABSENT ON LEAVE—Senators Bland, Dobyns, Headlee, Heaston, McGrath, Mackay and Perkins—7.

SICK—Senator McMahan.

The title was read and agreed to.

Senator Byrns moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; which latter motion prevailed.

Senate bill No. 57, entitled "An act to amend sections 5371, 5372 and 5407 of article 4, chapter 95 of the Revised Statutes of Missouri, entitled 'Of bounties,'" was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Cabell, Caldwell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Hutt, Jacobs, Lloyd, Mabrey, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse, Stephens and Walker—26.

ABSENT ON LEAVE—Senators Bland, Dobyns, Headlee, Heaston, McGrath, Mackay and Perkins—7.

SICK—Senator McMahan.

The title of the bill read and agreed to.

Senator Morrisson moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; which latter motion prevailed.

Substitute for House bills Nos. 2, 74, 77 and 84 was taken up, read second time and referred to Committee on Insurance.

By unanimous consent, Senator Morrisson introduced Senate bill No. 121, entitled "An act to amend section 7606, chapter 164 of the Revised Statutes, entitled 'Of the State treasury,'" which was read first time and 50 copies ordered printed.

Senator Mabrey introduced Senate bill No. 122, entitled "An act to admit A. R. Craften to the practice of medicine and surgery in this State;" which was read first time and 50 copies ordered printed.

On motion of Senator Cottey, the Senate adjourned until Monday morning at 10 o'clock.

TWENTY-SEVENTH DAY—MONDAY, February 7.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of Saturday read and approved.

Senator Stephens introduced Senate bill No. 123, entitled "An act to amend section 3733, article 11, chapter 59, entitled 'Of practice in civil cases;'" which was read first time and 50 copies ordered printed.

Senator Naylor submitted the following report from the Committee on Insurance:

MR. PRESIDENT: Your Committee on Insurance to whom was referred substitute for House bills Nos. 2, 74, 77 and 84, entitled "An act in relation to benevolent and charitable associations and societies," beg leave to report that they have considered the same and recommend that it do pass.

On second reading of Senate bills, Senate bill No. 118 was taken up, read a second time and referred to the Committee on Internal Improvement.

Substitute for House bills Nos. 2, 74, 77 and 84 was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Cabell, Caldwell, Cottey, DeArmond, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse, Stephens and Walker—28.

ABSENT ON LEAVE—Senators Bland, Dobyns, Dungan, Headlee, Heaston and Perkins—6.

The emergency clause was adopted by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Cabell, Caldwell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse, Stephens and Walker—29.

ABSENT ON LEAVE—Senators Bland, Dobyns, Headlee, Heaston and Perkins—5.

The title of the bill was read and agreed to.

Senator Morrisson moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 66 was taken up, and the pending amendment adopted.

Senator Cabell offered the following amendment:

Amend by adding at end of section the following:

“Provided, That said Fund Commissioners shall, and it is hereby made their duty to advertise in at least one daily newspaper in each of the cities of St. Louis and New York for thirty days, and to receive bids for the sale to the State of any of its outstanding bonds not due and payable, and said Fund Commissioners shall be authorized to purchase said bonds at the lowest price at which they may be offered, to the extent of available means at their command for such purpose;” which was read first and second times and lost.

Senator Bradley offered the following amendment:

Amend by striking out the word “Or,” in line ten, and insert the words, “Provided there are no option bonds;” which was read first and second times and adopted.

On motion of Senator Lloyd, the bill, as amended, was recommitted to the Committee on Ways and Means.

Senator Cottey moved, that when the Senate adjourns, it adjourn until to-morrow morning at 10 o'clock; which was agreed to.

On motion of Senator Lloyd, the Senate adjourned.

TWENTY-EIGHTH DAY—TUESDAY, February 8.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

Senator Caldwell presented a memorial from citizens of Macon county praying for a constitutional amendment forever prohibiting the importation and manufacture of, and all traffic in, intoxicating beverages within this State; which was referred to the Committee on Constitutional Amendments.

Senator Byrns introduced Senate bill No. 124, entitled "An act to amend section 1666, article 9, chapter 24 of the Revised Statutes of Missouri, concerning 'Crimes and criminal procedure;'" which was read first time and 50 copies ordered printed.

Senator Mackay introduced Senate bill No. 125, entitled "An act fixing the pay of certain officers of the General Assembly;" which was read first time and 50 copies ordered printed.

Senator Lloyd introduced Senate bill No. 126, entitled "An act to amend section 3660, article 7, chapter 59 of the Revised Statutes of Missouri, entitled 'Of practice in civil cases;'" which was read first time and 50 copies ordered printed.

Senator Mabrey introduced Senate bill No. 127, entitled "An act to amend section 6723, article 2, chapter 145 of the Revised Statutes, entitled 'Revenue;'" which was read first time and 50 copies ordered printed.

Senator Allen introduced Senate bill No. 128, entitled "An act to authorize and empower all cities in this State containing one hundred thousand inhabitants or more to establish, maintain, regulate and control a system and a force of police, and to repeal all acts and parts of acts repugnant to or inconsistent with this act;" which was read first time and 50 copies ordered printed.

Senator Naylor introduced Senate bill No. 129, entitled "An act to repeal an act, entitled 'An act to provide for the exercise of the right of voting by persons who have failed to register;'" which was read first time and ordered not printed.

Senator Cabell introduced Senate bill No. 130, entitled "An act to authorize the State of Missouri to issue bonds to redeem the existing indebtedness of the State, and to reduce the interest on the same;" which was read first time and 50 copies ordered printed.

Senator Mackay submitted the following report from the Committee on Retrenchment and Reform, which was read :

MR. PRESIDENT: Your Committee on Retrenchment and Reform, to whom was referred Senate bill No. 34, entitled "An act to amend section 5609, chapter 103, entitled 'Fees,'" beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported, being Senate bill No. 34, was taken up, and ordered engrossed.

Senator Lloyd submitted the following report from the Committee on Internal Improvements, which was read :

MR. PRESIDENT: Your Committee on International Improvements, to whom was referred Senate bill No. 118, entitled "An act to amend sections 841 and 846, article 3, chapter 21 of the Revised Statutes of Missouri, of 1879, entitled 'Railroad classification—charges—commissioners,'" beg leave to report that they have considered the same, and recommend that it do pass;

The bill so reported being Senate bill No. 118, was taken up and ordered engrossed.

Senator Mackay submitted the following report from the Committee on Retrenchment and Reform; which was read :

MR. PRESIDENT: Your Committee on Retrenchment and Reform, to whom was referred Senate bill No. 89, entitled "An act to amend sec. 1215, art. 6, chap. 23, Revised Statutes, entitled 'Of courts of record,'" beg leave to report that they have considered the same, and report the same back without recommendation.

Senate bill No. 89 was taken up, and, on motion of Senator Byrns, indefinitely postponed.

Senator McMahan submitted the following report from the Committee on Agriculture; which was read :

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate bill No. 95, entitled "An act in relation to the construction and maintenance of aprons or chutes to facilitate the passage of fish over dams and other obstructions," beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendment.

The bill so reported, being Senate bill No. 95, was taken up, and the following amendment offered by the committee: Amend by in-

serting after the word "wide," line six, printed bill, the following: "and sloping from each side to the center, so that the center shall be at least six inches lower than either edge," was read first and second times and adopted, and the bill ordered engrossed.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 38, entitled "An act to amend section 3742, article 2, chapter 59, of the Revised Statutes of Missouri, entitled 'Practice in civil cases,' and that unless objections be made, he would sign the same, to the end that it may become a law.

The bill was read at length by the Secretary, no objections being made, and the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto; said bill was also signed by the Secretary.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 177, entitled "An act to amend section 974, chapter 21, article 10 of the Revised Statutes of Missouri, entitled 'Of benevolent, religious, scientific, educational and miscellaneous associations,'" and that unless objections be made, he would sign the same, to the end that it may become a law.

The bill was read at length by the Secretary, no objections being made, and the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto; said bill was also signed by the Secretary.

The President announced that all other business would be suspended, and directed the Secretary to read at length House joint and concurrent resolution No. 3, entitled "Joint and concurrent resolution in relation to the sale or giving away of leaf tobacco, as affected by the revenue laws of the United States," and that, unless objection be made, he would sign the same, to the end that it may become a law.

The bill was read at length by the Secretary, no objections being made, and the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto; said bill was also signed by the Secretary.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 100, entitled "An act to amend section 4200, chapter 80, of the Revised Statutes of Missouri, entitled, 'Of

billiard and other tables,' " beg leave to report that they have considered the same and recommend that it do pass.

The bill so reported, being Senate bill No. 100, was taken up and ordered engrossed.

Senator Walker submitted the following report from the Committee on Penitentiary, which was read :

MR. PRESIDENT: Your Committee on Penitentiary, to whom was referred Senate bill No. 51, entitled "An act to amend section 6498, chapter 138, article 1, of the Revised Statutes of the State of Missouri, entitled 'Of the Penitentiary,' " beg leave to report that they have considered the same and offer a substitute therefor, and recommend that it do pass.

Substitute for Senate bill No. 51 reported by the Committee on Penitentiary, was taken up, read first and second times and adopted, and the bill ordered engrossed.

Senator Byrnes submitted the following report from the Committee on Criminal Jurisprudence; which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 10, entitled "An act to amend section 1307, article 3 of chapter 24 of Revised Statutes of Missouri, entitled 'Crimes and criminal procedure,' " beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported, being Senate bill No. 10, entitled "An act to amend section 1307, article 3, chapter 24 of Revised Statutes of Missouri, entitled 'Crimes and criminal procedure,' " was taken up, and Senator Lloyd offered the following amendment:

Strike out all after the word "larceny," in the seventh line; which was read first and second times and, the ayes and noes being demanded, was lost by the following vote:

AYES—Senators Caldwell, Cottey, Dobyns, Hutt, Lloyd, Mackay, Manring, Morrisson, Rogers, Rouse and Stephens—11.

NOES—Senators Allen, Bradley, Bryant, Burns, Cabell, DeArmond, Dungan, Edwards of Lafayette, Gottschalk, Heard, McGrath, McMahan, Mabrey, Manistre and Walker—15.

ABSENT—Senators Jacobs and Naylor—2.

ABSENT ON LEAVE—Senators Bland, Edwards of St. Charles, Headlee, Heaston, Phelan and Perkins—6.

Senator Heard offered the following amendment:

Amend by striking out the word "thirty," in line five, and inserting the word "twenty;" which was read and, the ayes and noes being demanded, was lost by the following vote:

AYES—Senators Allen, Bryant, Byrns, Caldwell, DeArmond, Heard, Mabrey, Mackay, McGrath, McMahan, Manring, Rogers and Stephens—13.

NOES—Senators Bradley, Cabell, Cottey, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Hutt, Jacobs, Lloyd, Manistre, Morrison, Rouse and Walker—14.

ABSENT—Senator Naylor.

ABSENT ON LEAVE—Senators Bland, Edwards of St. Charles, Heaston, Pehle and Perkins—6.

The bill was then ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 47, entitled "An act to authorize administrators and executors, under order of the probate court, to purchase real estate in certain cases for the benefit of creditors and other persons," beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported, being Senate bill No. 47, was taken up and ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 46, entitled "An act to authorize guardians and curators, under order of the probate court, to purchase real estate in certain cases for the benefit of their wards," beg leave to report that they have considered the same and recommend that it do pass, with the accompanying amendment.

The bill so reported, being Senate bill No. 46, entitled "An act to authorize guardians and curators under order of the probate court to purchase real estate in certain cases for the benefit of their wards, etc.," was taken up, and the following amendment, reported by the committee—Amend by inserting after the word "minor," second line, printed bill, the words, "or persons of unsound mind," and by inserting after the word "minors," eighth line, printed bill, the words, "or persons of unsound mind"—was read first and second times and adopted, and the bill ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred substitute for House No. 69, entitled "An act to amend section

1155, article 4, chapter 23 of the Revised Statutes of Missouri, 'Circuit courts,' " beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendment, by way of substitute.

The bill so reported, being the House substitute for House bill No. 69, was taken up, and the following amendment, offered by the committee, was read first and second times and adopted:

Amend by way of substitute by striking out all after the enacting clause and inserting the following in lieu thereof:

Sec. 1. Section one thousand one hundred and fifty-five of the Revised Statutes of Missouri is hereby amended by striking out the words "first," "April" and "October," in fourth line of said section, and inserting in lieu thereof the words "third," "May" and "November," so that said section, as amended, shall read as follows: Sec. 1155. In the eleventh judicial circuit in the county of Chariton, on the third Mondays of February, June and October; in the county of Linn, on the first Mondays of June and December; in the county of Sullivan, on the third Mondays of May and November; in the county of Grundy, on the third Monday in April, and on the first Mondays in August and January; in the county of Mercer, on the second Mondays in March and September.

On second reading of Senate bills, the following bills were taken up, read a second time and referred:

Senate bill No. 109, entitled "An act relating to scientific and historical institutes and eleemosynary institutions," referred to the Committee on Ways and Means.

Senate bill No. 110, entitled "An act to amend sections 6057 and 6060, article 5, chapter 119 of Revised Statutes of Missouri, 'Of taxation of insurance companies,'" referred to the Committee on Insurance.

Senate bill No. 114, entitled "An act to amend section 3046, article 9 of chapter 44 of the Revised Statutes of Missouri, 'Of justices courts,'" referred to the Committee on Judiciary.

Senate bill No. 115, entitled "An act to amend section 1819, article 18 of chapter 24 of the Revised Statutes of Missouri, concerning crimes and criminal procedure," referred to the Committee on Criminal Jurisprudence.

Senate bill No. 117, entitled "An act to amend section 3514, article 5, chapter 59, Revised Statutes, 'Of practice in civil cases,'" referred to the Committee on Judiciary.

Senate bill No. 119, entitled "An act to amend section 2343, chapter 32, Revised Statutes, 'Of executions,'" referred to the Committee on Judiciary.

Senate bill No. 116, entitled "An act authorizing counties having a past due indebtedness for the building of court houses and jails to refund the same, and at a lower rate of interest," referred to the Committee on Judiciary.

Senate bill No. 108, entitled "An act to empower fire and marine insurance companies to continue either the stock or mutual plan of insurance only, and to elect a board of directors for the plan which may be selected," referred to the Committee on Insurance.

Senate bill No. 112, entitled "An act for the completion and improvement and finishing necessary heating apparatus and furniture for the Normal School Building of the Second District, and to appropriate money therefor," referred to the Committee on Ways and Means.

Senate bill No. 113, entitled "An act to amend sections 3486, 3487, 3488 and 3489, article 4, chapter 59, Revised Statutes, 'Of practice in civil cases,'" referred to the Committee on Judiciary.

Senate bill No. 120, entitled "An act to amend sections 833, 838 and 842, article 3, chapter 21 of the Revised Statutes of Missouri, 'Railroad classification—charges—commissioners,'" referred to the Committee on Internal Improvements.

Senate bill No. 121, entitled "An act to amend section 7606, chapter 164 of the Revised Statutes, 'Of the State Treasury,'" referred to the Committee on Ways and Means.

Senate bill No. 122, entitled "An act to admit A. R. Craften to the practice of medicine and surgery in this State," referred to the Committee on Criminal Jurisprudence.

On third reading of House bills, House substitute for House bill No. 69, entitled "An act to amend section 1155, article 4, chapter 23 of the Revised Statutes, 'Circuit courts,'" was taken up, and read a third time and passed by the following vote :

AYES—Senators Allen, Bryant, Byrns, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Heard, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Rogers, Rouse and Stephens—24.

NO—Senator Gottschalk.

ABSENT—Senators Bradley, Jacobs and Walker—2.

ABSENT ON LEAVE—Senators Bland, Edwards of St. Charles, Headlee, Heaston, Pehle and Perkins—6.

The title of the bill was read and agreed to.

Senator Caldwell moved to reconsider the vote by which the bill passed, and lay the motion to reconsider on the table; the latter motion prevailed.

By unanimous consent, Senator Cabell introduced Senate bill No. 131, entitled "An act to amend section 6659, chapter 145 of the Revised Statutes, 1879, title 'Taxation and equalization,' so as to include historical societies in subjects of exemption;" which was read first time and 50 copies ordered printed.

Senator Heard presented a petition from various ministers of the gospel praying for the passage of a marriage license law; which was referred to the Committee on Criminal Jurisprudence.

Senator Hutt moved that when the Senate adjourns it adjourn until to-morrow morning at 10 o'clock; agreed to.

On motion of Senator Rouse, the Senate adjourned.

TWENTY-NINTH DAY—WEDNESDAY, February 9.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

Senator Stephens presented a petition from citizens of Boone county in regard to assessment of grain; which was referred to the Committee on Ways and Means.

Senator Byrns introduced Senate bill No. 132, entitled "An act to amend section 3729, article 2, chapter 59 of the Revised Statutes of Missouri, entitled 'Of change of venue;'" which was read first time and 50 copies ordered printed.

Senator Cabell introduced Senate bill No. 133, entitled "An act to provide for the registration of all voters in cities having a population of more than one hundred thousand inhabitants, and to govern elec-

tions in such cities, and to repeal an act entitled 'An act to provide for the exercise of the right of voting by persons who have failed to register,' approved March 30, 1877, and all acts and parts of acts repugnant to or inconsistent with this act;" which was read first time and 50 copies ordered printed.

Senator Hutt submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 28, entitled "An act to discourage the keeping of useless and sheep-killing dogs, and to provide indemnity for damages done by same," beg leave to report that they have compared the same, and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Hutt submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 107, entitled "An act to amend section 4358 of article 2 of chapter 87 of the Revised Statutes of Missouri, entitled 'Of the restraint of deceased and Texas cattle,'" beg leave to report that they have compared the same, and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Hutt submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 48, entitled "An act to amend sections 4937 and 4938 of article 5 of chapter 89 of the Revised Statutes of 1879, concerning cities, towns and villages," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Hutt submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 97, entitled "An act to amend sections 5901 and 5912 of chapter 118, article 3 of the Revised Statutes of Missouri, entitled 'Of institutions,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Hutt submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 74, entitled "An act to amend section 640 of chapter 17 of the Revised Statutes of Missouri, entitled 'Of commissioners of deeds,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Hutt submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred substitute for Senate bills Nos. 42 and 44, entitled "An act to amend sections 4314, 4316, 4317, 4319, 4320 and 4324, chapter 84 of the Revised Statutes of Missouri, entitled 'Of bridges,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Hutt submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 101, entitled "An act to amend section 22, article 1, chapter 1, Revised Statutes of Missouri, relating to 'Administration,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Edwards of Lafayette submitted the following report from the Committee on Claims, which was read :

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate bill No. 18, entitled "An act for the relief of Louis C. Lohman," beg leave to report that they have considered the same, and a majority of your committee recommend that it do pass.

The bill so reported, being Senate bill No. 18, was taken up and ordered engrossed.

Senator Edwards of Lafayette submitted the following report from the Committee on Claims, which was read :

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate bill No. 85, entitled "An act for the relief of the heirs of Alexander H. Henderson," beg leave to report that they have considered the same, and a majority of your committee recommend that it pass.

The bill so reported, being Senate bill No. 85, was taken up and ordered engrossed.

Senator Edwards of Lafayette submitted the following report from the Committee on Claims, which was read :

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate bill No. 83, entitled "An act to appropriate money to pay Mrs. Kate C. Mitchell of Jefferson county for certain outstanding military bonds and to provide for the cancellation of the same," beg leave to report that they have considered the same, and a majority of your committee recommend that it do pass.

The bill so reported, being Senate bill No. 83, was taken up and ordered engrossed.

Senator Morrisson submitted the following report from the Committee on Education, which was read:

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate bill No. 91, entitled "An act to amend sections 7169 and 7171, chapter 150, article 3 of the Revised Statutes of 1879, entitled 'Normal schools,'" beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported, being Senate bill No. 91, was taken up and ordered engrossed.

On second reading of Senate bills, the following were taken up, read second time and referred:

Senate bill No. 123, "An act to amend section 3733 of article 11, chapter 59, entitled 'Of practice in civil cases,'" to Committee on Judiciary.

Senate bill No. 119, "An act to repeal an act entitled an act to provide for the exercise of the right of voting by persons who have failed to register," to Committee on Election.

On third reading of Senate bills,

Senate bill No. 28, entitled "An act to discourage the keeping of useless and sheep killing dogs, and to provide indemnity for damages done by same," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Cabell, Caldwell, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Heard, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Rogers, Stephens and Walker—22.

NOES—Senators Byrns, Cottey, DeArmond and Morrisson—4.

ABSENT—Senators Naylor and Rouse—2.

ABSENT ON LEAVE—Senators Bland, Edwards of St. Charles, Headlee, Heaston, Pehle and Perkins—6.

The title of the bill was agreed to.

Senator Jacobs moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table, which latter motion prevailed.

Senator Rouse was granted leave of absence for four days.

Senate bill No. 107, entitled "An act to amend section 4358 of article two (2) of chapter 87 of the Revised Statutes of Missouri, entitled 'Of the restraint of diseased and Texas cattle,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Heard, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mackay, Manistre, Manring, Morrisson, Rogers, Stephens and Walker—25.

NO—Senator Mabrey.

ABSENT—Senator Naylor.

ABSENT ON LEAVE—Senators Bland, Edwards of St. Charles, Headlee, Heaston, Pehle, Perkins and Rouse—7.

The title of the bill was read and agreed to.

Senator Dobyns moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 48, entitled "An act to amend sections 4937 and 4938, article 5, chapter 89 of the Revised Statutes of 1879, concerning cities, towns and villages," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Heard, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Rogers, Stephens and Walker—26.

ABSENT—Senator Naylor.

ABSENT ON LEAVE—Senators Bland, Edwards of St. Charles, Headlee, Heaston, Pehle, Perkins and Rouse—7.

The emergency clause of said bill was passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Heard, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabry, Mackay, Manistre, Manring, Morrisson, Rogers, Stephens and Walker—26.

ABSENT—Senator Naylor.

ABSENT ON LEAVE—Senators Bland, Edwards of St. Charles, Headlee, Heaston, Pehle, Perkins and Rouse—7.

The title was read and agreed to.

Senator Bradley moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 97, entitled "An act to amend sections 5901 and 5912, chapter 118, article 3 of the Revised Statutes of Missouri, entitled 'Of institutions,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackey, Manistre, Manring, Morrisson, Rogers, Stephens and Walker—26.

ABSENT—Senator Naylor.

ABSENT ON LEAVE—Senators Bland, Edwards of St. Charles, Headlee, Heaston, Pehle, Perkins and Rouse—7.

The title of the bill was read and agreed to.

Senator Gottschalk moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table. The latter motion prevailed.

Senate bill No. 74, entitled "An act to amend section 640 of chapter 17 of the Revised Statutes of Missouri, entitled 'Of commissioners of deeds,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Heard, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackey, Manistre, Manring, Morrisson, Rogers, Stephens and Walker—26.

ABSENT—Senator Naylor.

ABSENT ON LEAVE—Senators Bland, Edwards of St. Charles, Headlee, Heaston, Pehle, Perkins and Rouse—7.

The title of the bill was read and agreed to.

Senator Caldwell moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table. The latter motion prevailed.

Substitute for Senate bills Nos. 42 and 44, entitled "An act to amend sections 4314, 4316, 4317, 4320, 4321, 4322, 4323 and 4324, chapter

85 of the Revised Statutes of Missouri, entitled 'Of bridges,' was taken up, read third time, and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Heard, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackey, Manring, Rogers, Stephens and Walker—24.

NO—Senator Morrison.

ABSENT—Senators Manistre and Naylor—2.

ABSENT ON LEAVE—Senators Bland, Edwards of St. Charles, Headlee, Heaston, Pehle, Perkins and Rouse—7.

The title of the bill was then read and agreed to.

Senator Dobyns moved to reconsider the vote by which the bill passed, and lay the motion to reconsider on the table. The latter motion prevailed.

Senate bill No. 101, entitled "An act to amend section 22, article 1, chapter 1, Revised Statutes of Missouri, relating to administration," was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Heard, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackey, Manistre, Manring, Morrison, Rogers, Stephens and Walker—26.

ABSENT—Senator Naylor.

ABSENT ON LEAVE—Bland, Eddwards of St. Charles, Headlee, Heaston, Pehle, Perkins and Rouse—7.

The title of the bill was read and agreed to.

Senator Edwards of Lafayette moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table ; which latter motion prevailed.

Senator DeArmond moved that when the Senate adjourn, it adjourn until to-morrow morning at 10 o'clock ; carried.

Senator Bryant introduced Senate bill No. 134, entitled "An act to amend section 2519, chapter 35 of Revised Statutes of Missouri, entitled 'Garnishments ;'" which was read first time and 50 copies ordered printed.

Senator Bryant introduced Senate bill No. 135, entitled "An act to amend section 3556 of article 5, chapter 59, Revised Statutes of Missouri, entitled 'Of pleading and rules of pleading ;'" which was read first time and 50 copies ordered printed.

Senator Bryant introduced Senate bill No. 136, entitled "An act to

amend section 2731, chapter 42 of the Revised Statutes, entitled 'Of judgments;'" which was read first time and 50 copies ordered printed.

Senator Heard presented a petition from citizens of Benton county, Missouri, asking for a change in the time of assessment of property from August the first to June the first; which was referred to the Committee on Ways and Means.

On motion of Senator DeArmond the Senate adjourned until tomorrow morning at 10 o'clock.

THIRTIETH DAY—THURSDAY, February 10.

The Senate met pursuant to adjournment.

The President *pro tem.*, Senator Morrisson, in the chair.*

A quorum present.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Senator Hutt presented a petition from citizens of Lincoln county, in relation to railroad charges; which was referred to the Committee on Internal Improvements.

Senator Pehle presented a petition from citizens of St. Clair, Franklin county, Missouri, asking for the passage of Senate bill No. 79; which was referred to Committee on Ways and Means.

Senator Edwards of Lafayette presented a petition from Warrensburg Lodge of Good Templars, praying for constitutional amendment prohibiting the manufacture or sale of intoxicating liquors; which was referred to the Committee on Constitutional Amendments.

Senator Edwards of St. Charles introduced Senate bill No. 137, entitled "An act to amend sections 833, 835 and 842, article 3, chapter 21 of the Revised Statutes of Missouri, entitled 'Railroad classification—charges—commissioners;'" which was read first time and 50 copies ordered printed.

Senator Edwards of St. Charles introduced Senate bill No. 138, entitled "An act to amend section 838, and to repeal sections 839 and 840,

article 3, chapter 21, Revised Statutes of Missouri, entitled 'Railroad classification—charges—commissioners;'" which was read first time and 50 copies ordered printed.

Senator Walker introduced Senate bill No. 139, entitled "An act to provide for the medical treatment of insane criminals, and to appropriate money therefor;" which was read first time and 50 copies ordered printed.

Senator McGrath introduced Senate bill No. 140, entitled "An act for the relief of Thomas W. Brady, of the city of St. Louis, Missouri;" which was read first time and 50 copies ordered printed.

Senator Stephens submitted the following report from the Committee on State University; which was read:

MR. PRESIDENT: Your Committee on State University, to whom was referred Senate joint and concurrent resolution No. 9, entitled "Joint and concurrent resolution authorizing and directing the Secretary of State to deliver to the Librarian of the State University 6 copies of the Revised Statutes of Missouri, beg leave to report that they have considered the same, and report it back with the accompanying substitute, and recommend that the substitute do pass.

The substitute reported for Senate joint and concurrent resolution No. 9 by the committee was taken up, read first and second times, adopted and ordered engrossed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence; which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 115, entitled "An act to amend section 1918, article 18 of chapter 24 of the Revised Statutes of Missouri, concerning 'Crimes and criminal procedure,'" beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported being Senate bill No. 115, was taken up and ordered engrossed.

On second reading of Senate bills, the following were taken up, read second time and referred:

Senate bill No. 124; to Committee on Criminal Jurisprudence.

Senate bill No. 125; to Committee on Retrenchment and Reform.

Senate bill No. 126; to Committee on Judiciary.

Senate bill No. 127; to Committee on Ways and Means.

Senate bill No. 128; to Committee on Banks and Corporations.

Senate bill No. 131; to Committee on Ways and Means.

Senator DeArmond called up Senate bill No. 64 with the pending substitute.

Senator Heaston offered the following amendment to the substitute:

Amend section 1 by striking out the first line of the printed bill and inserting the following: "In any case where the General Assembly has failed or may hereafter fail;" which was read first and second times and adopted.

The question recurring upon the adoption of the substitute as amended, and the ayes and noes being demanded by Senators DeArmond and Morrisson, the Senate refused to adopt the substitute by the following vote:

AYES—Senators Byrns, Cottey, Edwards of St. Charles, Heaston, McGrath, Mackay, Morrisson, Naylor and Stephens—9.

NOES—Senators Allen, Bland, Cabell, Caldwell, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Headlee, Heard, Hutt, Lloyd, McMahan, Manistre, Manring, Pehle and Rogers—17.

ABSENT—Senators Bradley, Bryant, Gottschalk, Jacobs, Mabrey and Walker—6.

ABSENT ON LEAVE—Senators Perkins and Rouse—2.

Senator Rogers moved that when the Senate adjourn it adjourn until to-morrow morning at 10 o'clock; carried.

On motion of Senator Walker, the Senate adjourned until 10 o'clock to-morrow morning.

THIRTY-FIRST DAY—FRIDAY, February 11.

The Senate met pursuant to adjournment.

The President *pro tem.*, Senator Morrisson, in the chair.

Prayer by the Chaplain.

A quorum present.

Journal of yesterday read and approved.

Senator Rogers presented a petition from the citizens of St. Louis and the State of Missouri, asking for a constitutional amendment prohibiting the liquor traffic; which was referred to the Committee on Constitutional Amendments.

Senator Edwards of Lafayette presented a petition from the citizens of Waverly, asking for a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors in this State; which was referred to the Committee on Constitutional Amendments.

Senator Rouse presented a petition from citizens of Randolph county praying for an enactment of such laws as will regulate transportation on railroads at reasonable rates; which was referred to the Committee on Internal Improvements.

Senator Pehle presented two petitions from citizens of Franklin county praying for the passage of Senate bill No. 79; which was referred to Committee on Ways and Means.

Senator Edwards of St. Charles presented a petition from citizens of St. Charles county, asking that assessment be changed from August to June; which was referred to Committee on Ways and Means.

Senator Perkins granted leave of absence ten days.

The following message was received from the House of Representatives through Mr. Hawley, Chief Clerk:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed Senate bill No. 8, entitled "An act to secure to the State the speedy settlement and payment of all sums of money due from Elijah, late Treasurer of the State of Missouri," with the emergency clause thereto attached:

Also, the following bill: Senate bill No. 9, entitled "An act to secure to the State of Missouri a priority of lien in the case of insolvent debtors to the State," and the emergency clause thereto attached.

Senator Bradley offered the following resolution:

Resolved, That the chairman of the Committee on Ways and Means is hereby requested to report substitute for House bills Nos. 19, 29, 36, 42, 50, 52, 72, 80 and 129, as early as practiceble to the Senate for its consideration and action.

Senator DeArmond offered the following substitute for the resolution:

Resolved, That, in justice to the great producing interests of the State, the Senate should promptly pass a suitable bill, changing the time for the assessment of property for taxation from August to June or April; and that the change should be made by an independent bill and not left to the hazard of a revision of the revenue law.

Senator Cottey moved to postpone further consideration until Tuesday, February 22.

The ayes and noes being demanded, the motion was lost by the following vote:

AYES—Senators Bryant, Bland, Cabell, Cottey, Edwards of Lafayette, Gottschalk, Headlee, Heaston, Jacobs, Lloyd, McGrath, Mackay, Manistre, Morrisson, Naylor and Walker—16.

NOES—Senators Allen, Bradley, Byrns, Caldwell, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Heard, Hutt, McMahan, Mabrey, Manring, Pehle, Rogers, Rouse and Stephens—17.

ABSENT ON LEAVE—Senator Perkins.

Senator Heaston offered the following amendment to the substitute :

Amend by striking out all after the word “ April ;” which was read first and second times.

The ayes and noes being demanded, it was lost by the following vote :

AYES—Senators Bryant, Cabell, Cottey, Heaston, Jacobs, Lloyd, McGrath, Mackay, Manistre, Morrisson, Naylor and Walker—12.

NOES—Senators Allen, Bradley, Byrns, Bland, Caldwell, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, McMahan, Mabrey, Manring, Pehle, Rouse and Stephens—20.

ABSENT—Senator Rogers.

ABSENT ON LEAVE—Senator Perkins.

The substitute was then read and adopted.

Senator Lloyd offered the following resolution :

Resolved, That the Committee on Mining and Manufactures visit and examine the Joplin and Granby lead and zinc mines, and the coal mines of Bates, and the lead and zinc mines of Dade, in connection with their visit to the School of Mines and Metallurgy at Rolla, Mo., and report, as soon as practicable, the result of their visit, to the Senate ; which was read first and second times, and the ayes and noes being demanded, was adopted by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Cabell, Caldwell, Cottey, DeArmond, Edwards of Lafayette, Gottschalk, Headlee, Lloyd, McGrath, Mackay, Manistre, Rogers and Walker—17.

NOES—Senators Bland, Dobyns, Dungan, Edwards of St. Charles, Heard, Heaston, Hutt, Jacobs, McMahan, Mabrey, Manring, Morrisson, Naylor, Rouse and Stephens—15.

ABSENT ON LEAVE—Senator Perkins.

EXCUSED FROM VOTING—Senator Pehle.

Senator Edwards of St. Charles submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT : Your Committee on Engrossed Bills, to whom

was referred Senate bill No. 100, entitled "An act to amend section 4200 of chapter 80 of the Revised Statutes of Missouri of 1879, entitled "Of billiards and other tables," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Edwards of St. Charles, from the Committee on Engrossed Bills, submitted the following report, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom referred Senate bill No. 10, entitled "An act to amend section 1307, article 3, chapter 24, of Revised Statutes of Missouri, entitled 'Crimes and criminal procedure,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

By unanimous consent, Senator Byrns introduced Senate joint and concurrent resolution No. 10, entitled Senate "Joint and concurrent resolution, submitting to the legal voters of the State of Missouri, an amendment to the Constitution thereof concerning revenue and taxation;" which was read first time and 50 copies ordered printed.

Senator Morrison submitted the following report from the Committee on Education, which was read :

MR. PRESIDENT: Your Committee on Education to whom was referred Senate bill No. 67, entitled "An act to revise and amend, chapter one hundred and fifty of the General Statutes of Missouri, 'Of schools,'" beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendments.

The bill so reported, being Senate bill No. 67, was taken up, and made the special order for next Wednesday at 11 o'clock, and 50 copies of the amendments offered by the committee ordered printed for the use of the Senate.

Senator Cottey moved that when the Senate adjourn it adjourn to meet at 10 o'clock next Monday morning. Agreed to.

Senator Dungan introduced Senate bill No. 141, entitled "An act restraining stock from running at large in this State;" which was read first time and 50 copies ordered printed.

Senator Lloyd introduced Senate bill No. 140, entitled "An act to amend the laws in relation to the sale and lease of the Agricultural College lands and the investment fund for the endowment and support of the Agricultural and Mechanical College and School of Mines and Metallurgy, being a department of the State University;" which was read first time and 50 copies ordered printed.

Senator Walker introduced Senate bill No. 143, entitled "An act

for the relief of Calvin Gunn, and to appropriate money therefor;" which was read first time and 50 copies ordered printed.

Senator McGrath introduced Senate bill No. 144, entitled "An act to aid the administration of the law in respect to jurors and witnesses;" which was read first time and 50 copies ordered printed.

On second reading of Senate bills, the following were taken up, read the second time and referred :

Senate bills 132, 134, 135 and 136 to the Committee on Judiciary.

On third reading—Senate bill No. 10, entitled "An act to amend section 1307 of article 3, chapter 24 of Revised Statutes of Missouri, entitled 'Crimes and criminal procedure,'" was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dobyns, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Jacobs, Lloyd, McGrath, Mabrey, Mackay, Manistre, Manring, Naylor, Pehle, Rogers, Rouse and Walker—24.

NOES—Senators DeArmond, Dungan, Headlee, Heaston, Hutt, McMahan, Morrisson and Stephens—8.

ABSENT ON DUTY—Senator Bradley.

ABSENT ON LEAVE—Senator Perkins.

Title of the bill was read and agreed to.

Senator Mabrey moved to reconsider the vote by which the bill passed, and lay the motion to reconsider on the table. The latter motion prevailed.

Senator bill No. 100, entitled "An act to amend section 4200, chapter 80 of the Revised Statutes of Missouri of 1879, 'Of billiard and other tables,'" was taken up, read third time, and passed by the following vote :

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rouse, Stephens and Walker—28.

NO—Senator Cottey.

ABSENT ON DUTY—Senators Bradley and Edwards of St. Charles—2.

ABSENT ON LEAVE—Senator Perkins.

ABSENT—Senators McGrath and Rogers—2.

The title of the bill was read and agreed to.

Senator Gottschalk moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table. The latter motion prevailed.

Senator Bradley submitted the following report from the Committee on Enrolled Bills, which was read :

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined, and find truly enrolled Senate bill No. 8, entitled "An act to secure to the State the speedy settlement and payment of all sums of money due from Elijah Gates, late Treasurer of the State of Missouri."

Senator Bradley submitted the following report from the Committee on Enrolled Bills, which was read :

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined, and find truly enrolled Senate bill No. 9, entitled "An act to secure to the State of Missouri a priority of lien in the case of insolvent debtors to the State."

The president announced that all other business would be suspended, and directed the secretary to read at length Senate bill No. 8, entitled "An act to secure to the State the speedy settlement and payment of all sums of money due from Elijah Gates, late Treasurer of the State of Missouri," and that unless objection be made, he would sign the same, to the end that it might become a law. Said bill was then read at length by the secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto. Said bill was also signed by the secretary of the Senate.

Senate bill No. 9, entitled "An act to secure to the State of Missouri a priority of lien in the case of insolvent debtors to the State," was also read at length by the secretary, and signed by the president without objection, in the presence of the Senate in open session, no other business intervening; said bill was also signed by the Secretary of the Senate. Both of said bills were immediately sent to the House of Representatives for the signature of the speaker, and having been signed by the President of the Senate, and Speaker of the House of Representatives and attested by the Secretary of the Senate and Chief Clerk of the House of Representatives, they were, on the same day, presented by the Secretary to the Governor for his approval.

Senator Edwards of St. Charles presented the following reports from the Committee on Engrossed bills, which were read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 47, entitled "An act to authorize executors and administrators under order of the probate court to purchase real estate in certain cases for the benefit of creditors and other persons," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 34, entitled "An act to amend section 5609, chapter 103, entitled 'Fees,' to have State pay board bill in felony cases," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 46, entitled "An act to authorize guardian and curators under order of the probate court to purchase real estate in certain cases for the benefit of their wards," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 18, entitled "An act for the relief of L. O. Lohman and to appropriate money therefor," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

The bills so reported were laid over for third reading.

Senator Cottey moved that the Senate now adjourn till Monday morning at 10 o'clock; which was agreed to.

THIRTY-SECOND DAY—MONDAY, February 14.

The Senate met pursuant to adjournment.

President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Friday read and approved.

Senator Caldwell presented a petition from Independence Lodge of Good Templars of Macon county, Missouri, praying for a Constitu-

tional amendment prohibiting the manufacture and sale of intoxicating liquors in this State; which was referred to the Committee on Constitutional Amendments.

Senator Byrns presented a petition from the citizens of St. Francois county, praying for a Constitutional amendment prohibiting the manufacture and sale of intoxicating liquors in this State; which was referred to the Committee on Constitutional Amendments.

Senator Heaston introduced Senate bill No. 145, entitled "An act to provide for the selection of a uniform system of text-books for the use of public schools of the State, and to regulate and control the introduction and sale of the same;" which was read first time and 50 ordered printed.

Senator Rogers introduced Senate bill No. 146, entitled "An act to regulate the practice of medicine and surgery in the State of Missouri;" which was read first time and 50 copies ordered printed.

Senator Dobyns introduced Senate bill, No. 147, entitled "An act to provide for the submission of Constitutional amendments to a vote of the people;" which was read first time and 50 copies ordered printed.

Senator Dungan introduced Senate bill No. 148, entitled "An act providing for the payment of outstanding warrants issued for the drainage of swamp lands, and to provide funds therefor;" which was read first time and 50 copies ordered printed.

Senator DeArmond introduced Senate bill No. 149, entitled "An act to amend section five thousand four hundred and sixty-seven (5467) chapter ninety-eight (98), Revised Statutes of Missouri, 'Of dram-shops;'" which was read first time and 50 copies ordered printed.

Senator Rouse introduced Senate bill No. 150, entitled "An act to amend section 806, article 2, chapter 21 of the Revised Statutes of Missouri, entitled 'Of private corporations;'" which was read first time and 50 copies ordered printed.

Senator Cabell introduced Senate bill No. 151, entitled "An act to authorize the appointment of stenographers in courts exercising criminal jurisdiction in cases of felony in cities having a population of more than one hundred thousand inhabitants;" which was read first time and 50 copies ordered printed.

Senator Dungan introduced Senate bill No. 152, entitled "An act to amend article 11, entitled 'Construction of statutes,' of chapter 46 of the Revised Statutes of the State of Missouri, 1879;" which was read first time and ordered not printed.

Senator Edwards of St. Charles submitted the following reports from the Committee on Engrossed Bills, which were read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 83, entitled "An act to appropriate money to pay Mrs. Kate C. Mitchell of Jefferson county for certain outstanding Union Military bonds, and to provide for the cancellation of the same," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 95, entitled "An act in relation to the construction and maintenance of aprons or chutes to facilitate the passage of fish over dams and other obstructions," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 115, entitled "An act to amend section 1918, of article 18, of chapter 24, of the Revised Statutes of Missouri, concerning 'Crimes and criminal procedure,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 85, entitled "An act for the relief of the heirs of Alexander H. Henderson," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 51, entitled "An act to amend section 6498, chapter 138, article 1 of the Revised Statutes of the State of Missouri, entitled 'Of the penitentiary,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 64, entitled "An act to provide for the making of settlements with the State Auditor and State Treasurer, and the examination of the condition and affairs of State offices generally, the Governor's excepted, in cases where such settlement has not been or shall not be made or has not been or shall not be reported to and acted on by the General Assembly, as required by law;" beg leave to report that they have compared the same and find it truly en-

grossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 91, entitled "An act to amend sections 7169 and 7171, chapter 150, article 3, of the Revised Statutes of Missouri of 1879, entitled 'Normal schools,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate joint and concurrent resolution No. 9, entitled "Joint and concurrent resolution authorizing and directing the Secretary of State to deliver to the Librarian of the State University eight copies of the Revised Statutes of Missouri," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 118, entitled "An act to amend sections 841 and 846 of article 3, chapter 21, of the Revised Statutes of Missouri, of 1879, entitled 'Railroad classification, charges, commissioners,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

On motion of Senator Edwards of St. Charles, Senate bill No. 118, entitled "An act to amend section 841 and 846, article 3, chapter 21, Revised Statutes of Missouri, of 1879, 'Of railroad classification, charges, commissioners,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottscholk, Headlee, Heard, Heaston, Hutt, Jacobs, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse and Stephens—30.

ABSENT ON LEAVE—Senators Lloyd, McGrath, Perkins and Walker—4.

The title of the bill was then read and agreed to.

Senator Edwards of St. Charles moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 122, entitled "An act to admit A. R. Craften to the practice of medicine and surgery in this State," beg leave to report that they have considered the same, and recommend that it do not pass.

Senate bill No. 122 was taken up and indefinitely postponed.

Senator Headlee submitted the following report from the Committee on Internal Improvements, which was read:

MR. PRESIDENT: Your Committee on Internal Improvements, to whom was referred House bill No. 1, entitled "An act relating to street railroads," beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendments.

House bill No. 1, entitled "An act relating to street railroads," was taken up and the following amendments, reported by the committee, were read first and second times and adopted:

Amendment No. 1: Amend section 1 by adding to said section the following words: "Notwithstanding such road or roads may be nearer to a parallel road than the third parallel street from any road now constructed."

Amendment No. 2: Amend section 2 by striking out said section and inserting in lieu thereof the following: "Section 2. That section 3 of an act entitled 'An act concerning street railroads in the city of St. Louis,' approved January 16, 1860, in so far as the same is inconsistent with or repugnant to the provisions of this act, be and the same is hereby repealed."

Senator Headlee offered the following amendment to the title of said bill:

Amend title by adding thereto the following words: "And repealing section 3 of an act concerning street railroads in the city of St. Louis, approved January 16, 1860, in so far as said section conflicts with the provisions of this act;" which was read and adopted and the title, as amended, agreed to.

On motion of Senator Manistre, the rules were suspended, and House bill No. 1, entitled "An act relating to street railroads," as amended, was read third time and passed by the following vote:

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse and Stephens—29.

ABSENT ON LEAVE—Senators Bradley, Lloyd, McGrath, Perkins and Walker—5.

The emergency clause in said bill was read and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse and Stephens—29.

NO—Senator DeArmond.

ABSENT ON LEAVE—Senators Lloyd, McGrath, Perkins and Walker—4.

Title, as amended, was read and agreed to.

Senator Manistre moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 102, entitled "An act in relation to judges of probate courts," beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment.

Senate bill No. 102, entitled "An act in relation to judges of probate courts," was taken up and the following amendment offered by the committee was read first and second times and the bill ordered engrossed:

Amend section one (1) by inserting between "decree" and "which," 14th line, printed bill, the words "made in such cause," and by adding at the end of said section the following: "An acceptance by any person of the office of judge of probate shall operate as a revocation of all letters testamentary and of administration and of guardianship and curatorship held by such person in his county at the time of his election or appointment."

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 114, entitled "An act to amend section 3,046, article 9, chapter 44 of the Revised Statutes of Missouri, entitled 'Of justices' courts,'" beg leave to report that they have considered the same, and recommend that the accompanying substitute do pass.

Substitute for Senate bill No. 114, reported by the committee was taken up, read first and second times, adopted and ordered engrossed.

Senator Bryns submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 124, entitled "An act to amend section 1666, article 9, chapter 24, Revised Statutes of Missouri, concerning 'Crimes and criminal procedure,'" beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 124, entitled "An act to amend section 1666 of article 9 of chapter 24 of the Revised Statutes of Missouri, concerning 'Crimes and criminal procedure,'" was taken up and ordered engrossed.

On second reading of Senate bills the following were taken up, read the second time and referred :

Senate bill No. 130, to Committee on Ways and Means.

Senate bill No. 137, to Committee on Internal Improvements.

Senate bill No. 139, to Committee on Criminal Jurisprudence.

Senate bill No. 138, to Committee on Internal Improvements.

Senate bill No. 133, to Committee on Elections.

Senate bill No. 140, to Committee on Claims.

On third reading of bills,

Senate bill No. 18, entitled "An act for the relief of Louis C. Lohman, and to appropriate money therefor," was taken up, read third time and passed by the following vote :

AYES—Senators Bradley, Bryant, Bryns, Bland, Oabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse and Stephens—28.

NO—Senator Allen.

ABSENT ON LEAVE—Senators Jacobs, Lloyd, McGrath, Perkins and Walker—5.

The title of the bill was agreed to.

Senator Morrisson moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table ; which latter motion prevailed.

Senate bill No. 34 was taken up, and, on motion of Senator Mabrey, laid over informally.

Senate bill No. 46, entitled "An act to authorize guardians and curators under order of the probate court to purchase real estate in certain cases for the benefit of their wards," etc., was taken up, read the third time, and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Jacobs, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse and Stephens—29.

NO—Senator Heaston.

ABSENT ON LEAVE—Senators Lloyd, McGrath, Perkins and Walker—4.

Title read and agreed to.

Senator Mabrey moved to reconsider the vote by which the bill passed and lay the motion to reconsider on the table; the latter motion prevailed.

The following message was received from the Governor through his private Secretary, Mr. Farr:

SIR: I return to the Senate with my approval endorsed thereon, bills of the following titles:

"An act to secure to the State the speedy settlement and payment of all sums of money due from Elijah Gates, late Treasurer of the State of Missouri;" and,

"An act to secure to the State of Missouri a priority of lien in the case of insolvent debtors to the State."

Very respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, President of Senate.

Senate bill No. 47, entitled "An act to authorize executors and administrators under order of the probate court to purchase real estate in certain cases for the benefit of creditors and other persons," was taken up, read the third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrnes, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse and Stephens—28.

ABSENT—Senator Jacobs.

ABSENT ON LEAVE—Senators Edwards of St. Charles, Lloyd, McGrath, Perkins and Walker—5.

Title read and agreed to.

Senator Mabrey moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Edwards of St. Charles was granted leave of absence for three days.

Senate bill No. 115, entitled "An act to amend section 1819, article 18, chapter 24 of the Revised Statutes of Missouri, concerning crimes and criminal procedure," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrnes, Bland, Caldwell, DeArmond, Dungan, Edwards of Lafayette, Heard, Heaston, Hutt, Jacobs, McMahan, Mabrey, Mackay, Manistre, Manring, Naylor, Pehle, Rogers, Rouse and Stephens—23.

NOES—Senators Cottey, Dobyns, Gottschalk, Headlee and Morrisson—5.

ABSENT—Senator Cabell.

ABSENT ON LEAVE—Senators Edwards of St. Charles, Lloyd, McGrath, Perkins and Walker—5.

Title read and agreed to.

Senator Byrns moved to reconsider the vote by which the bill passed, and lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 83, entitled "An act to appropriate money to pay Mrs. Kate C. Mitchell of Jefferson county, for certain outstanding Union Military Bonds, and to provide for the cancellation of the same," was taken up, read the third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Rogers, Rouse and Stephens—26.

NOES—Senators Allen and Pehle—2.

ABSENT—Senator Cabell.

ABSENT ON LEAVE—Senators Edwards of St. Charles, Lloyd, McGrath, Perkins and Walker—5.

Senator Bryant moved to reconsider the vote by which the bill passed, and lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 85, entitled "An act for the relief of the heirs of

Alexander H. Henderson" was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse and Stephens—27.

NO—Senator Allen.

ABSENT ON LEAVE—Senators Cabell, Edwards of St. Charles, Lloyd, McGrath, Perkins and Walker—6.

The title of the bill was read, and Senator Rogers offered the following amendment:

Amend the title by adding the words: "And to appropriate money therefor;" adopted, and the title, as amended, was then read and agreed to.

Senator Rogers moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 95, entitled "An act in relation to the construction and maintenance of aprons or chutes to facilitate the passage of fish over dams and other obstructions" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Jacobs, McMahan, Mackay, Manistre, Manring, Morrisson, Naylor and Rogers—23.

NOES—Senators Hutt, Mabrey, Pehle, Rouse and Stephens—5.

ABSENT—Senator Cabell.

ABSENT ON LEAVE—Senators Edwards of St. Charles, Lloyd, McGrath, Perkins and Walker—5.

Title read and agreed to.

Senator DeArmond moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 91, entitled "An act to amend sections 7161 and 7171, chapter 150, article 3 of the Revised Statutes of 1879, entitled 'Normal schools,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, McMahan, Mabrey, Mackey,

Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse and Stephens—28.

ABSENT—Senator Cabell.

ABSENT WITH LEAVE—Senators Edwards of St. Charles, Lloyd, McGrath, Perkins and Walker—5.

Title read and agreed to.

Senator Caldwell moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 64, entitled "An act to provide for the making of settlements with the State Auditor and State Treasurer, and the examination of the condition and affairs of State officers generally, the Governor's excepted, in cases where such settlement has not been or shall not be made, or has not been or shall not be reported to and acted on by the General Assembly, as required by law," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Headlee, Heard, Heaston, Hutt, Jacobs, McMahan, Mabrey, Mackay, Manring, Naylor, Pehle, Rogers, Rouse and Stephens—25.

NOES—Senators Manistre and Morrison—2.

ABSENT—Senators Cabell and Gottschalk—2.

ABSENT WITH LEAVE—Senators Edwards of St. Charles, Lloyd, McGrath, Perkins and Walker—5.

The emergency clause was then read and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Headlee, Heard, Heaston, Hutt, Jacobs, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse and Stephens—27.

ABSENT—Senators Cabell and Gottschalk—2.

ABSENT WITH LEAVE—Senators Edwards of St. Charles, Lloyd, McGrath, Perkins and Walker—5.

Title read and agreed to.

Senator DeArmond moved to reconsider the vote by which the bill passed, and lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 51, entitled "An act to amend section 6498, chapter 138, article 1 of the Revised Statutes of the State of Missouri, entitled 'Of the Penitentiary,'" was taken up, read the third time and laid over informally.

Senate joint and concurrent resolution No. 9 was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, McMahan, Mabrey, Mackey, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse and Stephens—29.

ABSENT ON LEAVE—Edwards of St. Charles, Lloyd, McGrath, Perkins and Walker—5.

Title read and agreed to.

Senator Hutt moved to reconsider the vote by which the bill passed, and lay the motion to reconsider on the table; which latter motion prevailed.

Senator Bradley moved that when the Senate adjourn, it adjourn until to-morrow morning at 10 o'clock.

Senator Naylor introduced Senate bill No. 153, entitled "An act to amend sections 558 and 559, chapter 11, Revised Statutes, concerning bills of lading and warehouse receipts."

Senator Bradley moved that the Senate adjourn; which motion was agreed to.

THIRTY-THIRD DAY—TUESDAY, February 15.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

The president laid before the Senate a communication from the State Auditor in relation to erroneous sales of State lands, which was read and referred to Committee on State Lands.

Senator Manistre offered the following resolution :

Resolved, That three hundred copies of Senate bill No. 133 be

printed for the use of the Senate and House; which was read first and second times and adopted.

Senator Walker introduced Senate bill No. 154, entitled "An act to amend section 137, article 8, chapter 1 of the Revised Statutes of the State of Missouri, in relation to the redemption, sale and conveyance of real estate in administration;" which was read first time and 50 copies ordered printed.

Senator Walker introduced Senate bill No. 155, entitled "An act to amend section 295, article 14, chapter 1 of the Revised Statutes of the State of Missouri, in relation to appeals in administration;" which was read first time and 50 copies ordered printed.

Senator Walker introduced Senate bill No. 156, entitled "An act to repeal section 116, article 6, chapter 1, and in lieu thereof to enact a new section;" read first time and 50 copies ordered printed.

Senator Walker introduced Senate bill No. 157, entitled "An act to amend section 5824, chapter 116 of the Revised Statutes of the State of Missouri, in relation to insane persons;" which was read first time and 50 copies ordered printed.

Senator Naylor introduced Senate bill No. 158, entitled "An act in relation to the service of notices by notaries public;" which was read first time and 50 copies ordered printed.

Senator Dobyns introduced Senate bill No. 159, entitled "An act to amend section 4941, article 5, chapter 89 of the Revised Statutes of Missouri, relating to cities of the fourth class;" which was read first time and 50 copies ordered printed.

Senator Cabell introduced Senate bill No. 160, entitled "An act to amend section 3311, chapter 52 Revised Statutes of 1879, entitled 'Of mortgages and deeds of trust;'" which was read first time and 50 copies ordered printed.

Senator Heaston submitted the following report from the Committee on Federal Relations, which was read:

MR. PRESIDENT: Your Committee on Federal Relations to whom was referred Senate joint and concurrent resolution, entitled "Joint and concurrent resolution, urging Congress to aid the construction of a ship railway across the Isthmus of Tehuantepec," beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendment.

Senate joint and concurrent resolution No. 4, was taken up, and the following amendment reported by the committee—amend by inserting in the second line of the third "whereas," of printed bill, after

the word "Tehuantepec," the words "than by Nicaragua," was read first and second times and adopted and ordered engrossed.

The following message was received from the House of Representatives through Mr. Hawley, Chief Clerk :

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed House bill No. 199, entitled "An act to amend section 75 of the Revised Statutes of 1879, relating to administration:"

Also, House bill No. 179, entitled "An act to amend section 238, article 10, chapter 1 of the Revised Statutes in reference to making final settlements of executors and administrators:"

Also, House bill No. 206, "An act relating to the shipment of live stock, grain and other articles of trade:"

Also, House bill No. 218, entitled "An act to amend sections 2798 and 2799, chapter 43 Revised Statutes, 'Of grand and petit jurors:'"

Also, House bill No. 217, "An act to amend section 1622, article 8, chap. 24 Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure:'"

Also, substitute for House bill No. 213, "An act to amend section 1051 of Revised Statutes, 'Of courts of record:'"

In which the concurrence of the Senate is respectfully requested.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary to whom was referred Senate bill No. 132, entitled "An act to amend section thirty-seven hundred and twenty-nine, article two, chapter fifty-nine Revised Statutes of Missouri, entitled 'Of changes of venue,'" beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendment.

Senate bill No. 132 was taken up and the following amendment, reported by the committee—amend by striking out "two," and inserting "eleven" in lieu thereof, in title of bill; and in first line printed bill by inserting after the word "granted," fifth line printed bill, and adding at end of bill, the words "either party"—was read first and second time and adopted and the bill ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary to whom was referred Senate bill No. 63, entitled "An act to repeal section 1209 of article 6 of chapter 23 of the Revised Statutes of Missouri, entitled 'Of courts of record,'" beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 63 was taken up and ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary to whom was referred Senate bill No. 113, entitled "An act to amend sections 3486, 3487, 3488 and 3489, article 4, chapter 59, Revised Statutes, entitled 'Of practice in civil cases,'" beg leave to report that they have considered the same, and report it back without recommendation.

Senate bill No. 113 was taken up and ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary to whom was referred Senate bill No. 117, entitled "An act to amend section 3514, article 5, chapter 59 of the Revised Statutes, entitled 'Of practice in civil cases,'" beg leave to report that they have considered the same, and report it back without recommendation.

Senate bill No. 117 was taken up and ordered engrossed.

On second reading of Senate bills, Senate bill No. 152, entitled "An act to amend article 2, entitled 'construction of Statutes,' of chapter 46, Revised Statutes of Missouri," was taken up, read second time and referred to Committee on judiciary.

Senator Heard presented a petition from ministers of the gospel, residing in the State of Missouri, praying for the enactment of a marriage license law ; which was referred to the Committee on Criminal Jurisprudence.

On first reading of House bills, substitute for House bill No. 213, entitled "An act to amend section 1051 of Revised Statutes, 'Of courts of record ;'"

House bill No. 179, entitled "An act to amend section 238, article 10, chapter 1, Revised Statutes, in reference to making final settlements of executors and administrators;"

House bill No. 199, entitled "An act to amend section 75 of the Revised Statutes of 1879, 'Relating to administration ;'"

House bill No. 206, entitled "An act relating to the shipment of live stock, grain and other articles of trade ;"

House bill No. 217, entitled "An act to amend section 1622, article 8, chapter 24, Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure ;'"

House bill No. 218, entitled "An act to amend sections 2798 and

2799, chapter 43, Revised Statutes, 'Of grand and petit jurors;'" were taken up and read first time.

By consent, Senator Manring introduced Senate concurrent resolution No. 11, entitled "Concurrent resolution submitting to the legal voters of the State of Missouri an amendment to the Constitution in relation to the prohibition of the manufacture and sale of intoxicating liquors;" which was read first time and 50 copies ordered printed.

Senator Heard submitted the following report from the Committee on Banks and Corporations, which was read :

MR. PRESIDENT: Your Committee on Banks and Corporations to whom was referred Senate bill No. 104, entitled "An act to amend section 818, article 2, chapter 21, Revised Statutes of the State of Missouri, relating to the protection of stockholders in railroad corporations against fraudulent contracts of employers," beg leave to report that they have considered the same and recommend that it do pass.

Senate bill No. 104 was taken up and ordered engrossed.

Senator Mabrey presented a petition from Hon. Joseph B. Jenkins, one of the State Senators of the State of Arkansas, praying for the enactment of a marriage license law; which was read at length and referred to the Committee on Criminal Jurisprudence.

Senator Hutt moved that when the Senate adjourn it adjourn until 10 o'clock to-morrow morning; which was agreed to.

Senator Rogers reported Senator Jacobs sick.

Senator Walker called up Senate bill No. 51, which was made special order for next Friday morning at 11 o'clock.

On motion of Senator Mackay, the Senate adjourned.

THIRTY-FOURTH DAY—WEDNESDAY, February 16.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Pehle presented a remonstrance from citizens of Berger, Franklin county, Missouri, protesting against a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors; which was referred to Committee on Constitutional Amendments.

Senator Pehle presented a petition from citizens of Gasconade county, one from citizens of Franklin county, and one from citizens of Osage county, all praying for the passage of Senate bill No. 79; which were referred to the Committee on Ways and Means.

Senator Walker presented a petition from the ministers of the gospel of Boonville, Mo., praying for the passage of a marriage license law; which was referred to Committee on Criminal Jurisprudence.

Senator Stephens introduced Senate bill No. 161, entitled "An act to provide for the disposal of the Agriculture College lands in this State; which was read first time and 50 copies ordered printed.

Senator Byrns introduced Senate bill No. 162, entitled "An act in relation to set-off;" which was read first time and 50 copies ordered printed.

Senator Manring introduced Senate bill No. 163, entitled "An act to amend section 7457, article 5, chapter 162, Revised Statutes of Missouri, 'Of township organization;'" which was read first time and 50 copies ordered printed.

Senator McMahan introduced Senate bill No. 164, entitled "An act to amend section 1158, article 4, chapter 23, Revised Statutes of Missouri, 'Of courts of record;'" which was read first time and 50 copies ordered printed.

Senator Dobyns introduced Senate bill No. 165, entitled "An act to amend section 1715, article 12, chapter 24, Revised Statutes of Missouri, entitled 'Surety to keep the peace;'" which was read first time and 50 copies ordered printed.

Senator Dobyms introduced Senate bill No. 166, entitled "An act to amend section 3091, chapter 45, Revised Statutes of Missouri, entitled 'Of landlords and tenants;'" which was read first time and 50 copies ordered printed.

Senator Naylor submitted the following report from the Committee on Insurance, which was read :

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate bill No. 92, entitled "An act to enable insurance companies other than life to surrender their special charters and accept in lieu thereof the provisions of the general insurance statutes," beg leave to report that they have considered the same, and recommend that the accompanying substitute do pass.

Senate bill No. 92, not being called for, the substitute reported by the committee, was taken up, read first and second times, and adopted and ordered engrossed.

Senator Rouse submitted the following report from the Committee on Privileges and Elections, which was read :

MR. PRESIDENT: Your Committee on Privileges and Elections, to whom was referred Senate bill No. 129, entitled "An act to repeal an act entitled 'An act to provide for the exercise of the right of voting by persons who have failed to register,'" beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 129 was taken up and ordered engrossed.

Senator Rouse submitted the following report from the Committee on Privileges and Elections, which was read :

MR. PRESIDENT: Your Committee on Privileges and Elections, to whom was referred Senate bill No. 133, entitled "An act to provide for the registration of all voters in cities having a population of more than one hundred thousand inhabitants, and to govern elections in such cities, and to repeal an act entitled 'An act to provide for the exercise of the right of voting by persons who have failed to register,' approved March 30, 1877, and all acts and parts of acts conflicting herewith," beg leave to report that they have considered the same, and recommend that it do pass with the following amendments :

Senate bill No. 133 was taken up, and the following amendments, reported by the committee—

No. 1. Amend section 11 by striking out the word "who," in line 6, and inserting in lieu thereof the words "each of whom," was read first and second times and adopted.

No. 2. Amend section 16 by inserting the word "State" after the word "shall" and before the word "the," in the 6th line, was read first and second times and adopted.

No. 3. Amend section 21 by inserting in line 3, between the words "and" and "examine," the following words: "after making proclamation at the door of his office that the returns are about to be cast up, shall proceed publicly to," was read the first and second times and adopted.

No. 4. Amend section 24 by striking out the word "districts," in the 1st line, and inserting in lieu thereof the word "precincts," was read first and second times and adopted.

Senator Gottschalk offered the following amendment:

Amend section 4. Strike out the first part of section 4 down to and including the word "manner," in line 8, and insert the following in lieu thereof: "Section 4. At each regular election held in such cities, after the passage of this act, there shall be elected, by the qualified voters of such cities, a recorder of voters, who shall hold his office for the term of four years, and until his successor shall be duly elected and qualified, and whose compensation shall be two thousand dollars per annum, payable out of the treasury of such city. Each succeeding recorder shall be elected in like manner."

Which was read first and second times, and, the ayes and noes being demanded, was lost by the following vote:

AYES—Senators Allen, Caldwell, Dungan, Gottschalk, Manistre, Pehle and Rogers—7.

NOES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Headlee, Heard, Heaston, Hutt, McGrath, McMahan, Mabrey, Mackay, Manring, Morrisson, Naylor, Rouse, Stephens and Walker—23.

ABSENT ON LEAVE—Senators Edwards of St. Charles, Jacobs, Lloyd and Perkins—4.

Senator Gottschalk offered the following amendment:

Amend section 4. Strike out in 7th line the word "payable," and insert the following in lieu thereof: "One-half of which shall be paid out of the State Treasury, out of any moneys not otherwise appropriated, and the other half."

Which was read first and second times, and, the ayes and noes being demanded, was lost by the following vote:

AYES—Senators Allen, Cabell, Gottschalk, Headlee, Heard, Hutt, McGrath, Manistre, Naylor, Pehle and Rogers—11.

NOES—Senators Bradley, Bryant, Byrns, Bland, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Heaston, McMahan, Mabrey, Mackay, Manring, Morrisson, Rouse, Stephens and Walker—19.

ABSENT ON LEAVE—Edwards of St. Charles, Jacobs, Lloyd and Perkins—4.

Senator Rogers offered the following amendment :

Amend sec. 4 by striking out the words " Governor, by and with the advice and consent of the Senate, for," in the 2d and 3d line of said section, in the printed bill, and insert in lieu thereof the words, " Mayor, by and with the consent of the council of the municipal assembly of —"

Which was read first and second time and lost by the following vote :

AYES—Senators Allen, Dungan, Gottschalk, Pehle and Rogers—5.

NOES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Headlee, Heard, Heaston, Hutt, McGrath, McMahan, Mackay, Manistre, Manring, Morrison, Naylor, Rouse, Stephens and Walker—24.

ABSENT—Senator Mabrey.

ABSENT ON LEAVE—Senators Edwards of St. Charles, Jacobs, Lloyd and Perkins—4.

The bill was then ordered engrossed.

The following messages were received from the House of Representatives through Mr. Hawley, chief clerk :

MR. PRESIDENT : I am instructed by the House to inform the Senate that the House has taken up and passed substitute for House bill No. 155, entitled "An act to amend sections 96 and 97, art. 5, chapter 1, Revised Statutes of the State of Missouri, 1879," with accompanying amendment to the title :

Also, House bill No. 187, entitled "An act to amend sec. 3894, Revised Statutes of the State of Missouri," by adding a new clause thereto :

Also, Substitute for House bill No. 166, entitled "An act for the relief of Newton M. Cobb, and to appropriate money therefor :"

Also, House bill No. 188, entitled "An act to amend section 2580, chapter 37, Revised Statutes of Missouri, 'Guardians and curators :'"

Also, House bill No. 235, entitled "An act to amend secs. 2963 and 4030 of the Revised Statutes, concerning services of subpoenas :"

Also, House bill No. 238, entitled "An act for the relief of James W. Liggett, marshal of Jackson county," with the accompanying amendment to the title :

Also, Substitute for House joint and concurrent resolution No. 13, instructing our Senators and requesting our Representatives in Congress to favor the passage of an act giving pensions to the surviving soldiers of the Mexican war :

In which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed Senate bill No. 97, entitled "An act to amend sections 5901 and 5912, chapter 118, article 3, of the Revised Statutes of Missouri, entitled "Of institutions:"

Also, Senate bill No. 52, entitled "An act to amend section 201 of the Revised Statutes of Missouri, 'In relation to administration:'"

Also, Senate bill 101, entitled "An act to amend section 22, article 1, chapter 1, Revised Statutes of Missouri, relating to administration:"

Also, Senate joint and concurrent resolution No. 6, authorizing and instructing the committee appointed by the Governor to settle with the auditor and treasurer to cancel vouchers, destroy warrants, etc.:

Also, Senate joint and concurrent resolution No. 7, instructing our Senators and requesting our Representatives in Congress to procure all necessary legislation to grant to the St. Louis and San Francisco railway company the right of way for its railroad through the Choctaw nation in the Indian Territory;

In which the concurrence of the Senate is respectfully requested.

Senate bill No. 67, entitled "An act to revise and amend chapter one hundred and fifty of the General Statutes of Missouri, 'Of schools,'" being special order for the hour 11 A. M., was taken up with the amendments reported by the Committee on Education, and on motion of Senator Morrisson the Senate resolved itself into Committee of the Whole, for the consideration of said bill; Senator Hutt in the chair.

When the committee arose, the President called the Senate to order, and Senator Hutt submitted the following report from the Committee of the Whole:

MR. PRESIDENT: Your Committee of the whole Senate, to whom was referred Senate bill No. 67, entitled "An act to revise and amend chapter one hundred and fifty of the General Statutes of Missouri, 'Of schools,'" with the pending amendments, beg leave to report that they have had the same under consideration, made some progress and ask leave to sit again; which was read and agreed to.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 103, entitled "An act to regulate practice in the supreme court and to aid in disposing of cases pending in said court," beg leave to report that they have considered the same, and recommend that the accompanying substitute do pass.

Senate bill No. 103 was taken up and the substitute reported by the committee was ordered printed.

Senator DeArmond submitted the following report from the Committee on Judiciary; which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 78, entitled "An act to exempt the husband from the payment of debts of the wife contracted before marriage," beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 78 was taken up and ordered engrossed.

Senator McGrath introduced Senate bill No. 167, entitled "An act concerning the liability of cities, towns and persons for damages to persons or property caused by riots;" which was read first time and 50 copies ordered printed.

Senator Cottey moved that when the Senate adjourn, it adjourn until to-morrow morning at 10 o'clock.

On motion of Senator Caldwell the Senate adjourned.

THIRTY-FIFTH DAY—THURSDAY, February 17.

The Senate met pursuant to adjournment.

The President in the chair.

Prayer by the Chaplain.

A quorum present.

The journal of yesterday was read and approved.

Senator Rouse presented a petition from citizens of Howard county, Missouri, praying for a change in the time of assessment; which was referred to the Committee on Ways and Means.

Senator Rouse presented a petition from citizens of Randolph county, Missouri, praying for a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors; which was referred to the Committee on Constitutional Amendments.

Senator Jacobs presented a petition from the merchants of Trenton, Missouri, praying for a change in the revenue law affecting merchants' licenses; which was referred to the Committee on Ways and Means.

Senator Caldwell introduced Senate bill No. 168, entitled "An act relating to township trustee and *ex officio* collector;" which was read first time and 50 copies ordered printed.

Senator Naylor introduced Senate bill No. 169, entitled "An act to amend section 790, chapter 21, article 2 of the Revised Statutes, entitled 'Railroad companies;'" which was read first time and 50 copies ordered printed.

Senator Mabrey introduced Senate bill No. 170, entitled "An act to amend section 1167, article 4, chapter 23, Revised Statutes of Missouri, relating to circuit courts in the 23d judicial circuit of Missouri;" which was read first time and ordered not printed.

Senator Mabrey introduced Senate bill No. 171, entitled "An act to amend section 5608, entitled 'Fees;'" which was read first time and ordered not printed.

Senator McGrath introduced Senate bill No. 172, entitled "An act relating to the distribution of books published by authority of the State of Missouri;" which was read first time and ordered not printed.

Senator DeArmond introduced Senate bill No. 173, entitled "An act in relation to bonds of *ex officio* collectors;" which was read first time and ordered not printed.

Senator DeArmond introduced Senate bill No. 174, entitled "An act in relation to appeal bonds and recognizances;" which was read first time and 50 copies ordered printed.

Senator Stephens introduced Senate bill No. 175, entitled "An act to amend section 5441, Revised Statutes of the State of Missouri, entitled 'Of dramshops;'" which was read first time and 50 copies ordered printed.

Senator DeArmond submitted the following report from the Committee on Judiciary; which was read and Senate bill No. 116 laid over till to-morrow:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 116, entitled "An act to authorize counties having a past indebtedness for the building of court houses and jails to refund the same at a lower rate of interest," beg leave to report that they have considered the same, and report the same back without recommendation.

The following message was received from the House of Representatives through Mr. Hawley, Chief Clerk:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up, amended and passed Senate bill No. 57, entitled "An act to amend sections 5371, 5372 and 5407, article 4, chapter 95, Revised Statutes of Missouri, entitled 'Of counties,' in which the concurrence of the Senate is requested.

Also, Senate bill No. 107, entitled "An act to amend section 4358, article two, chapter 87, Revised Statutes of Missouri, 'Of the restraint of diseased and Texas cattle."

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 139, entitled "An act to provide for medical treatment of insane criminals and to appropriate money therefor," beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported, being Senate bill No. 139, was taken up and ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 106, entitled "An act to amend section 2956, chapter 44 of the Revised Statutes of Missouri, entitled 'Of justices courts,'" beg leave to report that they have considered the same, and recommend that the accompanying substitute do pass.

Senate bill No. 106 not being called for, the substitute reported by the committee was taken up, read first and second times, adopted and ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 11, entitled "An act to amend chapter sixty-two (62) of the Revised Statutes of Missouri, entitled 'Of recorders of deeds,'" beg leave to report that they have considered the same, and recommend that the accompanying substitute do pass.

Senate bill No. 11 not being called for, the substitute reported by the Committee was taken up, read first and second times and adopted ordered printed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 457, entitled "An act to provide and regulate an additional mode of punishment for crime," beg leave to report that they have considered the same, and recommend that with the accompanying amendment it do pass.

Senate bill No. 45 was taken up and the following amendment reported by the committee was read first and second times and adopted:

Amend section one by inserting the word "three" in the blank space between the words "of" and dollars."

Senator DeArmond offered the following amendment: Amend section one by inserting immediately after "inflicted," fourth line printed bill, the words for violent assaults upon children, for assaults of whatever degree upon females of any age, for garroting, for the larceny of any animal of the horse or mule kind, for burglary in the first degree, for robbery in the first degree: *Provided*, That no female shall be punished by whipping," which was read first and second times, and Senator Heaston moved to lay the amendment on the table.

The ayes and noes being demanded, the motion to lay on the table was lost by the following vote:

AYES—Senators Allen, Caldwell, Heaston, Hutt, Jacobs, Manistre, Rogers and Stephens—8.

NOES—Senators Bradley, Bryant, Byrns, Bland, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Headlee, Heard, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manring, Morrisson, Naylor, Pehle, Perkins, Rouse and Walker—22.

ABSENT—Senators Cabell and Gottschalk—2.

ABSENT ON LEAVE—Senators Lloyd and Perkins—2.

The amendment was then adopted.

Senator Heaston moved that the bill be indefinitely postponed.

The ayes and noes being demanded, the motion was lost by the following vote:

AYES—Senators Allen, Bryant, Caldwell, Edwards of St. Charles, Heaston, Hutt, Jacobs, Manistre, Naylor, Rogers and Stephens—11.

NOES—Senators Bradley, Byrns, Bland, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Headlee, Heard, McGrath, McMahan, Mabrey, Mackay, Manring, Morrisson, Pehle, Rouse and Walker—19.

ABSENT—Senators Cabell and Gottschalk—2.

ABSENT ON LEAVE—Senators Lloyd and Perkins—2.

Senator Allen moved to postpone the further consideration of the bill until next Monday.

The ayes and noes being demanded, the motion to postpone was lost by the following vote:

AYES—Senators Allen, Gottschalk, Heaston, Hutt, Jacobs and Manistre—6.

NOES—Senators Bradley, Byrns, Bland, Cabell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Heard, McGrath, McMahan, Mabrey, Mackay, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse, Stephens and Walker—23.

ABSENT—Senators Bryant, Caldwell and Headlee—3.

ABSENT ON LEAVE—Senators Lloyd and Perkins—2.

The bill was then ordered engrossed by the following vote, the ayes and noes being demanded.

AYES—Senators Bradley, Bryant, Byrnes, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Headlee, Heard, McGrath, McMahan, Mabrey, Mackay, Manring, Morrisson, Naylor, Pehle, Rouse and Walker—22.

NOES—Senators Allen, Dungan, Edwards of St. Charles, Gottschalk, Heaston, Hutt, Jacobs, Rogers and Stephens—9.

ABSENT—Senator Manistre.

ABSENT ON LEAVE—Senators Lloyd and Perkins—2.

Senator Edwards of Lafayette moved, that when the Senate adjourn, it adjourn until 10 o'clock to-morrow morning; carried.

By consent, Senator Heard introduced Senate bill No. 176, entitled "An act to regulate the sale of vinegar in this State;" which was read first time and 50 copies ordered printed.

On motion of Senator Manring, the Senate adjourned.

THIRTY-SIXTH DAY—FRIDAY, February 18.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

Senator Edwards of St. Charles submitted the following reports from the Committee on Engrossed Bills, which were read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 104, entitled "An act to amend section 818 of the Revised Statutes of the State of Missouri," beg leave to report that they have compared the same, and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 124, entitled "An act to amend section 1866, article 9, chapter 24, Revised Statutes of Missouri, concerning 'Crimes and criminal procedure,'" beg leave to report that they have compared the same, and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 102, entitled "An act in relation to judges of probate courts," beg leave to report that they have compared the same, and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 114, entitled "An act to amend section 3046, article 9, chapter 44, Revised Statutes of Missouri, entitled 'Of justices courts,'" beg leave to report that they have compared the same, and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 50, entitled "An act to appropriate money, and provide for the payment of the claim of the Rolla board of education," beg leave to report that they have considered the same, and report back said bill to the Senate without recommendation.

Senate bill No. 50 was taken up, and laid over informally.

Senator Bland submitted the following report from the Committee on Lunatic Asylum, which was read :

MR. PRESIDENT: Your Committee upon Lunatic Asylums, respectfully make the following report :

By authority of the Senate, your committee visited Lunatic Asylum No. 2, located at St. Joseph, and devoted parts of two days in examination of the condition and necessities of the institution, the buildings and the grounds therewith belonging to the State.

THE BUILDING.

The building is located about two miles east of St. Joseph, upon a beautiful tract of land, consisting of one hundred and ten acres (110), about half of which is in cultivation. It will be remembered that the building was accidentally destroyed by fire on the 25th day of January, 1879.

A joint committee of the two houses of the 30th General Assembly went to St. Joseph, made a thorough examination in reference to the fire, and the condition of the walls and property of the State. They reported that the foundation and a portion of the walls could be utilized in rebuilding the Asylum, and from examination and estimates made by architects, they reported that it would require eighty-eight thousand seven hundred and twenty-five dollars (\$88,725.00) to rebuild the Asylum as it was before the fire.

The Legislature appropriated seventy-five thousand dollars (\$75,000.00) for the purpose of rebuilding the asylum; with that appropriation the undertaking was commenced, and your committee feel pleased, in being able to state that the edifice has been erected in a more commodious and attractive form than it possessed before the fire.

The reconstructed edifice is 328 feet long, the center building 52 feet long and four stories high above the basement, each wing being 138 feet in length and three stories high. The whole building is covered with slate, said to be the best quality. There are also erected to each wing additions 37x64 feet, in which are iron stairways supported in the brick walls, thus affording safe and convenient access to the building at each extremity at all times, and furnishing ready means for keeping the inmates separate. There are also wide and commodious stairways in the center of the building. There are 155 rooms in the present building, which the superintendent reports as being 39 more than were contained in the former building.

The increased number of corridors, passages, windows and openings add largely to the healthiness of the institution, by the improved ventilation, and the facility of admitting light and air to all parts of the building.

The edifice is well heated by steam. The contracts for reconstructing the building was awarded to, and performed by Geo. Alson & Co. of Chicago, Ill. The contract for steam heating, for boilers and machinery, for plumbing and gas fitting, was awarded to, and performed by Sam. J. Pope & Co. of Chicago, Ill.

So far as your committee could learn and were able to judge, the contractors deserve commendation for the manner in which they com-

pleted and complied with their contracts, and the State is to be congratulated upon having an asylum of such commodious and thoroughly practical and useful design, presenting such an attractive appearance, so substantially constructed and at such reasonable cost.

The contracts did not include completion of the fourth story of the center building. If the fourth story was completed, it would add about sixteen good rooms to the building. The basement of the building should be cemented and the basement floors should be paved with brick.

To do this necessary work to complete the building, the building commissioners estimate it would require an additional appropriation of five thousand dollars, the original appropriation having been exhausted, except \$51.89.

Your committee recommend that the appropriation of \$5,000.00 for completing the building should be made. When the building is completed, it will have the capacity for about three hundred patients.

THE PATIENTS.

There are now in the asylum about two hundred inmates, all of whom seemed to be well provided for and attended to; the halls and building in every part were neat and clean. The furniture is plain and substantial, and at the same time sufficient and just such as prudence and a view to fitness would seem to require. The water supply is not as great as the present necessities of the institution demand, and in case of fire would be likely to prove entirely insufficient. We were assured by the superintendent and the president of the board that an inexhaustible supply of water is reached at the distance of a little over two hundred and ten feet, a pipe one and a half inch in diameter having been sunk to that depth, which supplies nearly all of the water now used in the asylum. A very large supply of water is an absolute necessity for an institution of this kind. The superintendent thinks that a pipe of at least four inches in diameter should be sunk for water supply. It could be placed within a few feet of the present pipe and when prepared could be operated with the engine and machinery now used, so that the cost of securing this inexhaustible supply of water could be obtained at an additional cost of about fifteen hundred dollars. A pond that would afford an abundant supply of water for the stock upon the farm, a good reservoir for fish and a supply of ice for the institution could be secured upon the farm and near the asylum at the cost of about \$1,000.00.

After having viewed the premises and considered the necessities of the institution, we recommend that \$2,500.00 be appropriated for water supplies as above indicated.

Your committee were agreeably impressed with the belief that it is, and has been the constant aim of the superintendent and managers of "Lunatic Asylum No. 2," to make it accomplish all the good possible under its surroundings, and at the same time to conduct it upon as economical a basis as consistent with proper usefulness. This was eminently demonstrated in the erection of the new building. In consequence of the destruction of the building by fire, and its reconstruction, the institution has labored under many difficulties and disadvantages during the past two years. After the fire many of the inmates were taken home by their friends, yet many remained a charge upon the hands of the managers without proper supply of clothing, and almost without shelter, in the dead of winter.

With commendable promptness the authorities of Buchanan county gave the use of their commodious court house to the use of the patients remaining, and the kind hearted people of the city of St. Joseph furnished clothing and food for their necessities, and the city advanced the money to meet the pressing expenses until the legislature could pass the proper appropriation bill.

The reconstructed building was not completed until early in the year 1880, thus leaving the inmates about a year without suitable buildings and means of care and attention. Since the occupancy of the reconstructed building the number of patients at the institution has gradually increased, and the asylum is now nearly filled with inmates, and is advancing towards its proper sphere of usefulness.

Read and referred to the Committee on Ways and Means.

Senator Bradley submitted the following report from the Committee on Enrolled Bills, which was read :

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate joint and concurrent resolution No. 6, authorizing and instructing the committee appointed by the Governor to settle with the Auditor and Treasurer, to cancel vouchers, destroy warrants, etc.

The president announced that all other business would be suspended and directed the secretary to read at length Senate joint and concurrent resolution No. 6, authorizing and instructing the committee appointed by the Governor to settle with the Auditor and Treasurer, to cancel vouchers, destroy warrants, etc., and that unless objections be made he would sign the same to the end that it may become a law. No objections being made, said bill was read at length by the secretary; and the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto. Said joint and concurrent resolution No. 6, having been signed by the

President of the Senate and the Speaker of the House of Representatives, Chief Clerk of the House of Representatives, and attested by the Secretary of the Senate, was this day presented to the Governor by the Secretary.

Senator Bradley submitted the following report from the Committee on Enrolled Bills, which was read :

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate joint and concurrent resolution No. 7, instructing our Senators and requesting our Representatives in Congress to procure all necessary legislation to grant to the St. Louis and San Francisco railway company the right of way for its railroad through the Choctaw Nation in the Indian Territory.

Senate joint and concurrent resolution No. 7 was taken up, and the President announced that all other business would be suspended, and directed the Secretary to read at length Senate joint and concurrent resolution No. 7, instructing our Senators and requesting our Representatives in Congress to procure all necessary legislation to grant to the St. Louis and San Francisco Railroad Company the right of way for its railroad through the Choctaw Nation in the Indian Territory, and that unless objections be made he would sign the same to the end that it may become a law.

No objections being made, said bill was read at length by the Secretary, and the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto. Said Senate joint and concurrent resolution was immediately sent to the House of Representatives for the signature of the Speaker. Senate joint and concurrent resolution No. 7 having been signed by the President of the Senate and the Speaker of the House of Representatives, was this day presented to the Governor by the Secretary.

Senate bill No. 51, being special order for this hour (11 A. M.) was taken up, and, on motion of Senator Walker, was made the special order for next Thursday at 11 A. M.

Senator Rogers submitted the following report from the Committee on State Lands:

MR. PRESIDENT: Your Committee on State Lands, to whom was referred the accompanying communication from the State Auditor, with reference to certain erroneous sales of State lands therein described, beg leave to report that they have carefully examined the records in the office of the Register of Lands, and find the facts set forth in the letter of the Auditor to be true, and that the parties to

whom the said lands were erroneously sold are entitled to relief as provided in section 6110 of the Revised Statutes, Your committee herewith submit bills for the relief of Charles G. Comstock and D. P. Dyer.

Senator Rogers introduced Senate bill No. 177, entitled "An act for the relief of Charles G. Comstock, and to appropriate money therefor," which was read first time and 50 copies ordered printed.

Senator Rogers introduced Senate bill No. 178, entitled "An act for the relief of D. P. Dyer, and to appropriate money therefor," which was read first time and 50 copies ordered printed.

Senator DeArmond introduced Senate bill No. 179, entitled "An act to amend section twenty-six hundred and ninety-three, chapter thirty-nine, Revised Statutes of Missouri, 'Of homesteads,'" which was read first time and 50 copies ordered printed.

Senator DeArmond introduced Senate bill No. 180, entitled "An act to amend section twenty-six hundred and eighty-nine, chapter thirty-nine, Revised Statutes of Missouri, 'Of homesteads,'" which was read first time and ordered not printed.

Senator Pehle introduced Senate bill No. 181, entitled "An act to amend section 912, chapter 21 of the Revised Statutes, entitled 'Of private corporations,'" which was read first time and 50 copies ordered printed.

Senator Morrison introduced Senate bill No. 182, entitled "An act to amend section 7628, article 1, chapter 164, Revised Statutes of Missouri, entitled 'Of the State Treasury,'" which was read first time and 50 copies ordered printed.

Senator Dobyns introduced Senate bill No. 183, entitled "An act to amend section 1854, article 17 of chapter 24, Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure,'" which was read first time and 50 copies ordered printed.

Substitute for House bill No. 213, entitled "An act to amend section 1051 of the Revised Statutes, 'Of courts of record,'" was taken up and referred to Committee on Judiciary.

Senate bill No. 206, entitled "An act relating to the shipment of live stock, grain and other articles of trade," was taken up and referred to Committee on Agriculture.

House bill No. 199, entitled "An act to amend section 75 of the Revised Statutes of 1879, relating to administration," was taken up and referred to Committee on Judiciary.

House bill No. 179, entitled "An act to amend section 238, article 10, chapter 1 of the Revised Statutes, in reference to making final settlement of executors and administrators," was taken up and referred to Committee on Judiciary.

Substitute for House bill No. 166, entitled "An act for the relief of Newton M. Cobb, and to appropriate money therefor;" House bill No. 187, entitled "An act to amend section 3894 of the Revised Statutes of Missouri by adding a clause thereto;" No. 188, entitled "An act to amend section 2580, chapter 37, Revised Statutes of Missouri, entitled 'Guardians and curators,'" No. 235, entitled "An act to amend sections 2963 and 4030 of the Revised Statutes, concerning service of subpoenas," and No. 238, entitled "An act for the relief of James W. Liggett, marshal of Jackson county," were taken up and read first time.

On second reading of House bills, the following were taken up, read second time and referred :

House bill No. 218, entitled "An act to amend sections 2798 and 2799, chapter 43, Revised Statutes, 'Of grand and petit jurors,'" to Committee on Criminal Jurisprudence.

House bill No. 217, entitled "An act to amend section 1622, article 8, chapter 24, Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure,'" to Committee on Criminal Jurisprudence.

Senate bill No. 170, entitled "An act to amend section 1167, article 4, chapter 23, Revised Statutes of Missouri, relating to circuit courts in the 23d judicial circuit of Missouri," to Committee on Criminal Jurisprudence.

Senate bill No. 171, entitled "An act to amend section 5608, entitled 'Of fees,'" to Committee on Retrenchment and Reform.

Senate bill No. 172, entitled "An act relating to the distribution of books published by authority of the State of Missouri," to Committee on Judiciary.

Senate bill No. 173, entitled "An act in relation to bonds of *ex officio* collectors," to Committee on Ways and Means.

On first reading of House bills, substitute for House joint and concurrent resolution No. 13, entitled "House joint and concurrent resolution providing for furnishing township clerks with statutes and session acts of the General Assembly," and substitute for House bill No. 155, entitled "An act to amend sections ninety-six (96) and ninety-seven (97), article five (5), chapter one (1), Revised Statutes of Missouri of 1879," were read.

On second reading of Senate bills, the following were taken up, read second time and referred:

Senate joint and concurrent resolution No. 10, entitled "Senate joint and concurrent resolution submitting to the legal voters of the State of Missouri an amendment to the Constitution thereof, concerning 'Revenue and taxation,'" to Committee on Ways and Means.

Senate bill No. 143, entitled "An act for the relief of Calvin Gunn, and to appropriate money therefor," to Committee on Claims.

Senate bill No. 144, entitled "An act to aid the administration of the law in respect to jurors and witnesses," to Committee on Judiciary.

Senate bill No. 148, entitled "An act to provide for the payment of outstanding warrants issued for the drainage of swamp lands, and to provide funds therefor," to Committee on Swamp Lands.

On third reading of Senate bills, Senate bill No. 102, entitled "An act in relation to probate courts" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, McMahan, Mabrey, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse, Stephens and Walker—29.

ABSENT ON LEAVE—Senators Bradley, Lloyd, McGrath, Mackay and Perkins—5.

The title of the bill was agreed to.

Senator Edwards of St. Charles moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table, which latter motion prevailed.

Senate bill No. 114, entitled "An act to amend section 3046, article 9, chapter 44, Revised Statutes of Missouri, entitled 'Of justices courts,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse, Stephens and Walker—30.

ABSENT—Senator Bryant.

ABSENT ON LEAVE—Senators Bradley, Lloyd and Perkins—3.

The title of the bill was read and agreed to.

Senator Byrns moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 124, entitled "An act to amend section 1666, article 9, chapter 24, Revised Statutes of Missouri, concerning 'Crimes and criminal procedure,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Jacobs, McGrath, McMahan, Mabrey, Mackay, Manring, Naylor, Rogers and Rouse—23.

NOES—Senators Cottey, Headlee, Heaston, Hutt, Manistre, Morrison, Pehle, Stephens and Walker—9.

ABSENT ON LEAVE—Senators Lloyd and Perkins—2.

The title of the bill read and agreed to.

Senator Byrns moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; which latter motion was agreed to.

Senate bill No. 104 was taken up, and Senator Heard moved to reconsider the vote by which the bill was ordered engrossed; which was agreed to.

On motion of Senator Heard the bill was then recommitted to Committee on Banks and Corporations.

Senator Heard was excused from service on the Committee on State University, and Senator Bryant appointed in his stead.

The Committee on State University (Senators Stephens, Walker, Cottey, Bryant and Rogers,) were granted leave of absence for one week from to-morrow.

Senator Cottey moved that when the Senate adjourn, it adjourn until 10 o'clock to-morrow morning. Agreed to.

On motion of Senator Hutt, the Senate adjourned.

THIRTY-SEVENTH DAY—SATURDAY, February 19.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

The following message was received from the House of Representatives through Mr. Hawley, Chief Clerk, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed House bill No. 241, entitled "An act to amend section 1547, article 8, Revised Statutes, relating to 'Offenses against public morals and decency or the public police and miscellaneous offenses,'"

In which the concurrence of the Senate is respectfully requested.

Senator Pehle presented a petition from citizens of Franklin county, Mo., protesting against a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors, which was referred to Committee on Constitutional Amendments.

Senator Edwards of Lafayette presented a petition from ministers of the gospel residing in the State of Missouri, praying for a constitutional amendment as regards marriage license, which was referred to Committee on Criminal Jurisprudence.

Senator Bland presented a petition from citizens of Clay county, Mo., praying for the enactment of such laws as will regulate the costs of transportation, which was referred to Committee on Internal Improvements.

Senator Headlee presented a petition from citizens of Phelps county, Mo., praying for the enactment of such laws as will regulate the cost of transportation, which was referred to Committee on Internal Improvements.

Senator Byrns presented two petitions from the citizens of St. Francois and Washington counties in the State of Missouri, praying for a constitutional amendment prohibiting the manufacture and sale

of intoxicating liquors, which was referred to Committee on Constitutional Amendments.

Senator Rouse introduced Senate bill No. 184, entitled "An act to amend sections 5853 and 5868, article 2, chapter 117, Revised Statutes of Missouri, entitled 'Of inspection ;'" which was read first time and 50 copies ordered printed.

Senator Dobyns introduced Senate bill No. 185, entitled "An act to amend sections 5442 and 5464, chapter 98, Revised Statutes of the State of Missouri, entitled 'Of dramshops ;'" which was read first time and 50 copies ordered printed.

Senator Bryant introduced Senate bill No. 186, entitled "An act concerning the transportation of nitro-glycerine and other combustible articles ;" which was read first time and 50 copies ordered printed.

Senator Morrisson introduced Senate bill No. 187, entitled "An act to create the office of public guardians and to provide for the appointment of public guardians for the better protection of orphans, neglected and destitute children ;" which was read first time and 50 copies ordered printed.

Senator Morrisson introduced Senate bill No. 188, entitled "An act to provide for locating and erecting a State reformatory school for juvenile offenders;" which was read first time and 50 copies ordered printed.

Senator Naylor submitted the following report from the Committee on Insurance:

MR. PRESIDENT: Your Committee on Insurance to whom was referred Senate bill No. 110, entitled "An act to amend sections 6057 and 6060, article 5, chapter 119, Revised Statutes of Missouri, 'Of taxation of insurance companies,'" beg leave to report that they have considered the same and recommend that it do pass.

Senate bill No. 110 was taken up and laid over informally.

Senator Cottey submitted the following report from the Committee on Ways and Means:

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bills Nos. 3, 4, 12, 15, 21, 32, 38, 54, 59, 79, 109, 127 and 131, beg leave to report that they have considered the same and recommend that the accompanying substitute, entitled "An act to revise and amend chapter 145 of the Revised Statutes of Missouri, entitled 'Of the assessment and collection of the revenue,'" do pass,

The substitute for Senate bills Nos. 3, 4, 12, 15, 21, 32, 38, 54, 59, 79, 109, 127 and 131, reported by the committee, was taken up and seventy-five copies ordered printed for information.

Senator Edwards of St. Charles submitted the following reports from the Committee on Engrossed Bills, which were read :

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 132, entitled "An act to amend section 3729, article 11, chapter 59, Revised Statutes of Missouri, entitled 'Of changes of venue,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 63, entitled "An act to repeal section 1209, article 6, chapter 23, Revised Statutes of Missouri, entitled 'Of courts of record,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

The following message was received from the Governor through Mr. Farr, Private Secretary:

SIR: I return to the Senate with my approval endorsed thereon, joint and concurrent resolutions of the following titles:

"Joint and concurrent resolution authorizing and instructing the the committee appointed by the Governor to settle with the Auditor and Treasurer, to cancel vouchers, destroy warrants, and for other purposes;" and "Joint and concurrent resolution instructing our Senators and requesting our representatives in Congress to use all means in their representative capacity to procure all legislation necessary to grant to the St. Louis & San Francisco Railway Company the right of way for its railroad through the Choctaw nation in the Indian Territory."

Very respectfully, THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, President of Senate.

Senator Bradley submitted the following report from the Committee on Enrolled Bills, which was read :

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 52, entitled "An act to amend section 201 of the Revised Statutes of the State of Missouri, in relation to administration."

The President announced that all other business would be suspended and directed the Secretary to read at length Senate bill No. 52, entitled "An act to amend section 201 of the Revised Statutes of Missouri, in relation to administration," and Senate bill No. 101, entitled "An act to amend section 22, article 1, Revised Statutes of Mis-

ouri, relating to administration," and stated that unless objections be made, he would sign said bills, to the end that each may become a law.

No objection being made, Senate bill No. 52 was read at length by the Secretary, and the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto; said bill was also signed by the Secretary.

No objections being made, Senate bill No. 101 was read at length by the Secretary, and the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto; said bill was also signed by the Secretary.

Senator Bradley submitted the following report from the Committee on Enrolled Bills, which was read :

MR. PRESIDENT: Your Committee on Enrolled Bills, have carefully examined, and find truly enrolled Senate bill No. 101, entitled "An act to amend section 22, article 1, chapter 1, Revised Statutes of Missouri, relating to administration."

Senator Heard submitted the following report from the Committee on Banks and Corporations, which was read :

MR. PRESIDENT: Your Committee on Banks and Corporations, to whom was referred Senate bill No. 104, entitled "An act to amend section 818, article 2, chapter 21, Revised Statutes of the State of Missouri, relating to the protection of stockholders in railroad corporations against fraudulent contracts of employers," beg leave to report that they have considered the same, and report it back with the accompanying substitute, and recommend that the substitute do pass.

Substitute for Senate bill No. 104, reported by the committee was taken up, read first and second times and adopted, and the bill ordered engrossed.

On motion of Senator Mabrey, Senate bill No. 116 was taken up, and Senator Mabrey offered the following amendment :

Amend section 1 by inserting in line three of printed bill between the words "of either" and "in," the following: "But for no other cause or kind of bonds or indebtedness;" which was read first and second times and adopted, and the bill ordered engrossed.

On second reading of Senate bills, the following bills were taken up, read a second time and referred :

Senate bill No. 153, entitled "An act to amend sections 558 and

559, chapter 11, Revised Statutes of Missouri, concerning bills of lading and warehouse receipts," to Committee on Banks and Corporations.

Senate bill No. 154, entitled "An act to amend section 137, article 8, chapter 1, Revised Statutes of the State of Missouri, in relation to the redemption, sale and conveyance of real estate in administration," to Committee on Judiciary.

Senate bill No. 156, entitled "An act to repeal section 116, article 6, chapter 1, Revised Statutes of Missouri, in relation to sales of personal property in administration, and enacting in lieu thereof a new section," to Committee on Judiciary.

Senate bill No. 157, entitled "An act to amend section 5824, chapter 116, Revised Statutes of the State of Missouri, in relation to insane persons," to Committee on Judiciary.

Senate bill No. 159, entitled "An act to amend section 4941, article 5, chapter 89, Revised Statutes of Missouri, relating to cities of the fourth class," to Committee on Banks and Corporations.

Senate bill No. 161, entitled "An act to provide for the disposal of the Agricultural College lands in this State," to Committee on Education.

Senate bill No. 163, entitled "An act to amend section 7457, article 5, chapter 162, Revised Statutes of Missouri, 'Of township organization,'" to Committee on Township Organization.

Senate bill No. 164, entitled "An act to amend section 1158, article 4, chapter 28, Revised Statutes of Missouri, 'Of courts of record,'" to Committee on Judiciary.

Senate bill No. 165, entitled "An act to amend section 1715, article 12, chapter 24, Revised Statutes of Missouri, entitled 'Surety to keep the peace,'" to Committee on Criminal Jurisprudence.

Senate bill No. 179, entitled "An act to amend section twenty-six hundred and ninety-three (2693), chapter thirty-nine (39), Revised Statutes of Missouri, 'Of homesteads,'" to Committee on Judiciary.

On third reading of Senate bills, Senate bill No. 63, entitled "An act to repeal section 1209, article 6, chapter 23, Revised Statutes of Missouri, entitled 'Of courts of record,'" was taken up, and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, McMahan, Mabrey, Manring, Morrisson, Naylor, Pehle, Perkins, Rouse and Walker—27.

ABSENT ON LEAVE—Senators Bland, Lloyd, McGrath, Mackay, Manistre, Rogers and Stephens—7.

The title of the bill was read and agreed to.

Senator Hutt moved to reconsider, and Senator Dungan moved to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Manistre granted leave absence.

Senate bill No. 132 was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston Hutt, Jacobs, McMahan, Mabrey, Manring, Morrisson, Naylor, Pehle, Perkins, Rouse and Walker—28.

ABSENT ON LEAVE—Senators Lloyd, McGrath, Mackay, Manistre, Rogers and Stephens—6.

The title of the bill was read and agreed to.

Senator Byrns moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table. The latter motion prevailed.

House bill No. 241 was taken up and read first time.

On second reading of House bills, the following were taken up, read second time and referred:

Substitute for House joint and concurrent resolution No. 13, entitled "Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to favor the passage of an act giving pensions to the surviving soldiers of the Mexican war," to Committee on Federal Relations.

Substitute for House bill No. 166, entitled "An act for the relief of Newton M. Cobb, and to appropriate money therefore," to Committee on Judiciary.

Substitute for House bill No. 155, entitled "An act to amend sections 96 and 97, article 5, chapter 1, of the Revised Statutes of the State of Missouri, 1879," to Committee on Judiciary.

House bill No. 38, entitled "An act to amend section 3742, article 11, chapter 39, Revised Statutes of Missouri, entitled 'Practice in civil cases,' " to Committee on Criminal Jurisprudence.

House bill No. 187, entitled "An act to amend section 3894, Revised Statutes of Missouri, by adding a clause thereto," to Committee on Judiciary.

House bill No. 188, entitled "An act to amend section 2580, chapter

37, Revised Statutes of Missouri, entitled 'Guardians and curators,' to Committee on Judiciary.

House bill No. 235, entitled "An act to amend sections 2963 and 4030, Revised Statutes, concerning service of subpoenas," to Committee on Judiciary.

Senator Cottey was excused from Committee on State University, and Senator Mackay appointed to fill the vacancy.

Senator Morrisson called up Senate bill No. 67, entitled "An act to revise and amend chapter one hundred and fifty, General Statutes of Missouri, 'Of schools,'" and moved that the Senate go into Committee of the Whole; which was agreed to.

Senator Hutt took the chair.

Committee rose; the President called the Senate to order; Senator Hutt reported progresse and asked leave to set again; which was granted.

The following message was received from the House of Representatives through Mr. Hawley, Chief Clerk:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and concurred in Senate amendments to House bill No. 1.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 1, entitled "An act in relation to street railroads, and repealing section three of an act, entitled 'An act concerning street railroads in the city of St. Louis,' approved January 16, 1860, in so far as said section conflicts with the provisions of this act," and stated that, unless objections be made, he would sign the same, to the end that it may become a law.

The bill was read at length by the Secretary, no objections being made, and the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto; said bill was also signed by the Secretary.

Senator DeArmond moved that when the Senate adjourn, it adjourn until to-morrow at 10 o'clock.

Senator Cabell was granted leave of absence until next Wednesday.

Upon motion of Senator Edwards of Lafayette, the Senate adjourned.

THIRTY-EIGHTH DAY—MONDAY, February 21.

MORNING SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

Senator Rouse presented a petition from Father Mathew Lodge No. 358, I. O. G. T., praying for the submission of a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors; which was referred to the Committee on Constitutional Amendments.

Senator Edwards of Lafayette presented a remonstrance from physicians of Lafayette county, Missouri, against the passage of Senate bill No. 93, entitled "An act to prescribe the qualifications and duties of practitioners of medicine and surgery, and to regulate the practice of medicine," which was referred to the Committee on Criminal Jurisprudence.

Senator Gottschalk offered the following resolution, which was read and referred to the Committee on Criminal Jurisprudence:

WHEREAS, There are now confined in the jail of the city of St. Louis seventeen murderers, at a great expense to said city, some of whom have been there confined for some years, and from all appearances will remain there for some years longer, without being tried for the crimes they have committed against the laws, good name and reputation of the State of Missouri; therefore be it

Resolved, That the Committee on Criminal Jurisprudence be, and they are hereby instructed to examine into the law, and report to the Senate whether or not the existing Statutes of this State need changing or amending, so that such persons as may have been or shall hereafter be indicted by grand juries of this State for murder, will have a speedy trial, conviction and punishment due their crimes.

The following message was received from the Governor, through his Private Secretary, Mr. F. C. Farr:

SIR: I have the honor to transmit to the Senate the accompany-

ing official census bulletins, giving the population of the counties of Missouri.

Very respectfully,

THOS. T. CRITTENDEN.

HON. R. H. CAMPBELL, President of the Senate.

Which was read and the census bulletins accompanying the same were referred to the Committee on Senatorial and Representative appointment.

Senator Bradley submitted the following report from the Committee on Enrolled bills, which was read :

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 107, entitled "An act to amend section 4358, article 2, chapter 87 of the Revised Statutes of Missouri, entitled 'Of the restraint of diseased and Texas cattle,'" which was read.

Senate bill No. 107 was taken up, and the President announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No. 107, entitled "An act to amend section 4358, article 2, chapter 87, Revised Statutes of Missouri, entitled 'Of the restraint of diseased and Texas cattle,'" and stated that unless objections be made, he would sign said bill, to the end that it may become a law. No objections being made, Senate bill No. 107 was read at length by the Secretary, and the presiding officer, in the presence of the Senate, in open session, no other business intervening affixed his signature thereto; said bill was also signed by the Secretary, and being also signed by the Speaker of the House of Representatives, the bill was this day presented to the Governor by the Secretary.

Senator Bradley submitted the following report from Committee on Enrolled Bills, which was read.

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 97, entitled "An act to amend sections five thousand nine hundred and one (5901) and five thousand nine hundred and twelve (5912), chapter one hundred and eighteen, article three (3) Revised Statutes of Missouri, entitled 'Of institutions.'"

The President announced that all other business would be suspended and directed the Secretary to read at length Senate bill No. 97, entitled "An act to amend sections 5901 and 5912, chapter 118, article of the Revised Statutes of Missouri, entitled 'Of institutions,'" and stated that, unless objections be made, he would sign the same to the end that it may become a law.

No objections being made, said bill was at length by the Secretary ;

and the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto. Said bill was immediately sent to the House of Representatives for the signature of the Speaker, and having been signed by the President of the Senate and the Speaker of the House of Representatives, was this day presented to the Governor by the Secretary.

Senator Caldwell introduced Senate bill No. 189, entitled "An act to amend section 7433, article 1, chapter 162, Revised Statutes of Missouri, 1879, entitled 'Township elections;'" which was read first time and 50 copies ordered printed.

Senator Heaston introduced Senate bill No. 190, entitled "An act to amend article 8, chapter 160 Revised Statutes of Missouri, entitled 'Township organization,' by adding a new section thereto in reference to procuring record books and stationery;" which was read first time and ordered not printed.

Senator Dungan introduced Senate bill No. 191, entitled "An act to establish a reform school for juvenile offenders;" which was read first time and 50 copies ordered printed.

Senator McMahan introduced Senate bill No. 192, entitled "An act to provide for greater security to the State arms, and to encourage the organization of Volunteer Militia Companies;" which was read first time and 50 copies ordered printed.

Senator Byrns introduced Senate bill No. 193, entitled "An act for the better regulation of dramshops;" which was read first time and 50 copies ordered printed.

Senator Byrns introduced Senate bill No. 194, entitled "An act for the better management of roads and highways;" which was read first time and 50 copies ordered printed.

Senator Cottey introduced Senate bill No. 195, entitled "An to amend section 698, chapter 20 Revised Statutes, entitled 'Of conveyance of real estate;'" which was read first time and 50 copies ordered printed.

Senator Cottey introduced Senate bill, No. 196, entitled "An act to amend section 2731 Revised Statutes, 1879, entitled 'Of judgments;'" which was read first time and 50 copies ordered printed.

Senator Cottey introduced Senate bill No. 197, entitled "An act to amend section 3172, article 1, chapter 47 of the Revised Statutes of 1879, entitled 'Mechanics' liens;'" which was read first time and 50 copies ordered printed.

Senator Cottey introduced Senate bill No. 198, entitled "An act

to provide for the collection and apportionment of taxes due under the provisions of the act to facilitate the construction of railroads in the State of Missouri, approved March 23, 1868 ;" which was read first time and 50 copies ordered printed.

Senator Edwards of St. Charles submitted the following reports from the Committee on Engrossed Bills, which were read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate joint and concurrent resolution No. 4, entitled "Joint and concurrent resolution urging Congress to aid the construction of a ship railway across the Isthmus of Tehuantepec," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 113, entitled "An act to amend sections 3486, 3487, 3488 and 3489, article 4, chapter 59 Revised Statutes, entitled 'Of practice in civil cases,' " beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator DeArmond submitted the following report from Committee on Judiciary ; which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 172, entitled "An act in relation to the distribution of books published by authority of the State of Missouri," beg leave to report that they have considered the same, and recommend that it be referred to the Committee on Education.

Senate bill No. 172 was taken up and referred to Committee on Education.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 144, entitled "An act to aid in the administration of the law in respect to jurors and witnesses," beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 144 was taken up and ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 179, entitled "An act to amend section 238, article 10, chapter 1, Revised Statutes of the State of Missouri, in

reference to making the final settlements of executors and administrators," beg leave to report that they have considered the same, and recommend that it do pass.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 217, entitled "An act to amend section 1622, article 8, chapter 24, Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure,'" beg leave to report that they have considered the same, and recommend that it do pass.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 66, entitled "An act to amend section 7631, article 1 of chapter 164 of the Revised Statutes, entitled 'Of the State Treasury,'" beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendment.

Senate bill No. 66 was taken up, and the following amendment, reported from the committee, was read twice and adopted :

Amend section 1 by striking out all after the words "five-twenty bonds," in line 10, printed bill, and by inserting in lieu thereof the words: "*Provided*, There are no option bonds which may be called in, then they may invest the same in, or purchase any of the bonds of the State, upon which the State is held or bound for the payment of interest."

Senator Cottey offered the following amendment to the title, which was read first and second times and adopted :

Amend title of act by striking out the words "of the State Treasury," and insert in lieu thereof the words "Treasury Department."

Senator Heaston offered the following amendment, which was read first and second times and adopted :

Amend section 1 by striking out all prior to the words section 7631, in line 6, printed bill, and insert the following in lieu thereof: "Section 1. Amend section 7631, article 1, chapter 164, Revised Statutes, entitled 'Treasury Department,'" by striking out the following words, to wit: "Or they may invest the same in any of the bonds of the State, the Hannibal and St. Joseph railroad bonds excepted. But in no case shall said Commissioners purchase or redeem any such bonds at a higher rate than their face value," and by inserting in lieu thereof the following words: "*Provided*, There are no option bonds which may be called in, then they may invest the same in, or purchase

any of the bonds of the State, upon which the State is held or bound for the payment of interest," so that said section, when amended, shall read as follows:

The bill, as amended, was ordered engrossed by the following vote, the President voting in the affirmative:

AYES—Senators Byrns, Cottey, DeArmond, Heard, Heaston, Hutt, McMahan, Morrisson, Naylor and Perkins—10.

NOES—Senators Allen, Bland, Caldwell, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Jacobs, Manring and Rouse—10.

ABSENT ON LEAVE—Senators Bradley, Bryant, Cabell, Dobyns, Headlee, Lloyd, McGrath, Mabrey, Mackay, Manistre, Pehle, Rogers, Stephens and Walker—14.

The following message was received from the House of Representatives through Mr. Hawley, Chief Clerk, which was read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed substitute for House bill No. 145, entitled "An act to amend sections 2835 and 2836 of article 2, chapter 44, Revised Statutes of the State of Missouri, entitled 'Jurisdiction of justices of the peace:'"

Also, House bill No. 244, entitled "An act to amend section 806, chapter 21, article 2, Revised Statutes of Missouri, concerning corporations:"

Also, substitute for House bill No. 186, entitled "An act to appropriate money for support of State government for the years 1881 and 1882"—

In which the concurrence of the Senate is respectfully requested.

On motion of Senator DeArmond, Senator Bradley was added to Committee on Mines and Manufactures.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read:

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 60, entitled "An act to authorize the issue and sale of renewal revenue bonds, for the purpose of meeting and redeeming outstanding revenue bonds falling due in the year 1881," beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment.

Senate bill No. 60 was taken up, and the following amendment, offered by the committee, was read first and second times and adopted:

Amend section 5 by inserting in the 1st line thereof before the

word "it" the following: "Before issuing and disposing of any of the bonds authorized by this act."

The bill was ordered engrossed.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read:

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 96, entitled "An act to appropriate money for the payment of the National Bank of Commerce of the city of New York, fiscal agent of the State, for the payment of bonds of the State and interest coupons as as they fell due from the year 1872 to December 31, 1880," beg leave to report that they have considered the same, and recommend that the accompanying substitute do pass.

Substitute for Senate bill No. 96, reported by the committee, was taken up, read first and second times, adopted and ordered engrossed.

Senator Edwards of Lafayette was granted leave of absence for one week.

Senator Heaston submitted the following report from the Committee on Federal Relations:

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred substitute for House joint and concurrent resolution No. 13, entitled "Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to favor the passage of an act giving pensions to the surviving soldiers of the Mexican war," beg leave to report that they have considered the same, and recommend that it do pass.

Substitute for House joint and concurrent resolution No. 13 was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Byrns, Bland, Caldwell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Heaston, Hutt, Jacobs, McMahan, Manring, Morrisson, Naylor, Perkins and Rouse—20.

ABSENT ON LEAVE—Senators Bradley, Bryant, Cabell, Dobyns, Headlee, Lloyd, McGrath, Mabrey, Mackay, Manistre, Pehle, Rogers, Stephens and Walker—14.

The title was read and agreed to.

Senator Hutt moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; which latter motion prevailed.

Senator Heaston moved that when the Senate adjourn it adjourn until to-morrow morning at 10 o'clock; carried.

On second reading of Senate bills, Senate joint and concurrent resolution No. 11, entitled "Concurrent resolution submitting to the legal voters of the State of Missouri an amendment to the State Constitution, in relation to the prohibition of the manufacture and sale of intoxicating liquors," was read second time and referred to Committee on Constitutional amendments.

Senate bill No. 111, entitled "An act to amend section 815, article 2, chapter 21, Revised Statutes of Missouri, concerning discrimination allowed in the shipment of grain," was read second time and referred to Committee on Banks and Corporations.

Senate bill No. 146, entitled "An act to regulate the practice of medicine and surgery in the State of Missouri," was read second time and referred to Committee on Criminal Jurisprudence.

Senate bill No. 147, entitled "An act to provide for the submission of constitutional amendments to a vote of the people," was read second time and referred to Committee on Judiciary.

Senate bill No. 149, entitled "An act to amend section 5467, chapter 98, Revised Statutes of Missouri, entitled 'Of dram-shops,'" was read second time and referred to Committee on Criminal Jurisprudence.

Senate bill No. 151, entitled "An act to authorize the appointment of stenographic reporters in courts exercising criminal jurisdiction in cases of felony in cities having a population of more than one hundred thousand inhabitants," was read second time and referred to Committee on Criminal Jurisprudence.

Senate bill No. 155, entitled "An act to amend section 295, article 14, chapter 1 of the Revised Statutes of the State of Missouri, in relation to appeals in administration," was read second time and referred to Committee on Judiciary.

Senate bill No. 158, entitled "An act in relation to the service of notices by notaries public," was read second time and referred to Committee on Judiciary.

Senate bill No. 160, entitled "An act to amend section 3311, chapter 52, Revised Statutes of 1879, entitled 'Of mortgages and deeds of trust,'" was read second time and referred to Committee on Judiciary.

On motion of Senator Perkins, the Senate adjourned until 10 o'clock to-morrow morning.

THIRTY-NINTH DAY—TUESDAY, February 22.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Edwards of St. Charles presented a remonstrance from citizens of Augusta, St. Charles county, Missouri, protesting against submission of a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors; which was referred to Committee on Constitutional Amendments.

Senator Heaston submitted the following report from the Committee on Claims, which was read:

MR. PRESIDENT: Your Committee on Claims to whom was referred Senate bill No. 143, entitled "An act for the relief of Calvin Gunn and to appropriate money therefor," beg leave to report that they have considered the same and recommend that it do not pass.

Senate bill No. 143 was taken up and laid over informally.

Senator Edwards of St. Charles submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 117, entitled "An act to amend section 3514, article 5, chapter 59 of the Revised Statutes, entitled "Of practice in civil cases," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Edwards of St. Charles, from the Committee on Engrossed Bills, submitted the following report, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom referred Senate bill No. 92, entitled "An act to enable insurance companies other than life, to surrender their special charters and accept in lieu thereof the provisions of the general insurance statutes, and to empower companies doing a stock and mutual business to continue the one and discontinue the other," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Manring submitted the following report from the Committee on Township Organization, which was read :

MR. PRESIDENT: Your Committee on Township Organization to whom was referred Senate bill No. 163, entitled "An act to amend section 7457, article 5, chapter 162, Revised Statutes of Missouri, 'Of township organization,'" beg leave to report that they have carefully considered the same and recommend that it do pass.

Senate bill No. 163 was taken up and ordered engrossed.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate joint and concurrent resolution No. 10, submitting to the legal voters of the State of Missouri an amendment to the Constitution thereof, concerning 'Revenue and taxation,' beg leave to report that they have considered the same, and recommend that it be referred to the Committee on Constitutional Amendments.

Senate joint and concurrent resolution No. 10 was taken up and referred to the Committee on Constitutional Amendments.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bills Nos. 80, 86 and 88, beg leave to report that they have considered the same, and recommend that the accompanying substitute, entitled "An act to secure the adjustment and settlement of claims of the State of Missouri against the United States for enrolling, equipping and subsisting militia forces thereof in suppressing the rebellion, and also claims of this State for five per cent. upon government lands disposed of by the United States which have not heretofore been adjusted," do pass.

The substitute for Senate bills Nos. 80, 86 and 88, reported by the committee, was taken up and ordered printed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 170, entitled "An act to amend section 1167, article 4, chapter 23 Revised Statutes of Missouri, relating to circuit courts in the 23d judicial circuit of Missouri," beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendment.

Senate bill No. 170 was taken up and the following amendment—Amend section 1167 by striking out of lines 13 and 14 of the bill the following words: "Be a resident of and"—reported by the committee,

was read first and second times and adopted, and the bill ordered engrossed.

On second reading of Senate bills, the following were taken up, read second time and referred:

Senate bill No. 150, entitled "An act to amend section 806, article 2, chapter 21, Revised Statutes, entitled 'Of private corporations,'" to Committee on Judiciary.

Senate bill No. 141, entitled "An act restraining stock from running at large in this State," to Committee on Agriculture.

Senate bill No. 162, entitled "An act in relation to set-off," to Committee on Judiciary.

Senate bill No. 166, entitled "An act to amend section 3091, chapter 45 of the Revised Statutes of Missouri, entitled 'Landlords and tenants,'" to Committee on Judiciary.

Senate bill 167, entitled "An act concerning the liability of cities, towns and persons for damages to persons or property caused by riots," to Committee on Judiciary.

Senate bill No. 190, entitled "An act to amend article 8, chapter 162, Revised Statutes of Missouri, entitled 'Of township organization,' by adding a new section thereto in reference to procuring record books and stationery," to Committee on Township Organization.

On first reading on House bills, the following were taken up and read the first time:

House bill No. 244, entitled "An act to amend section eight hundred six (806) of chapter twenty-one (21) of article two (2), Revised Statutes of Missouri."

Substitute for House bill No. 145, entitled "An act to amend sections (2835), twenty-eight hundred and thirty-five and (2836) twenty-eight hundred and thirty-six of the Revised Statutes of the State of Missouri, entitled 'Jurisdiction of justices of the peace.'"

Substitute for House bill No. 186, entitled "An act to appropriate money for the support of the State government for the years 1881 and 1882."

On second reading of House bills, House bill No. 241 was taken up, read the second time and referred to the Committee on Criminal Jurisprudence.

Senator Morrisson called up Senate bill No. 67, entitled "An act to revise and amend chapter one hundred and fifty of the General Statutes of Missouri, 'Of schools,'" and moved that the Senate go into Com-

mittee of the Whole for the consideration of said bill, which was agreed to; Senator Hutt in the chair.

The committee arose, and Senator Hutt reported progress and asked leave to sit again; which was agreed to.

A message was received from the Governor through Mr. Farr, Private Secretary.

On motion of Senator Heaston, the Senate went into executive session at 11:15 o'clock, and at 11:30 the Senate resumed regular session.

Senator Manring offered the following resolution, which was read and referred to the Committee on Federal Relations:

WHEREAS, Recognizing the truth of that grand fundamental doctrine of our American system of democratic-republican government, that all just governments derive their power from the consent of the governed; and,

WHEREAS, The people of the United States, enjoying, as they do, the inestimable boon of self-government and constitutional liberty, have always extended to the oppressed and down-trodden people of the world their warmest sympathies when engaged in a struggle for liberty and self-government; and,

WHEREAS, For the last seven hundred years the Irish people have been the victims of the most cruel system of land robbery known to the history of the civilized world, whereby they not only have been robbed of the soil which rightly belonged to them, but of the fruits that soil produced by their labor; and,

WHEREAS, There is now a struggle going on in that unfortunate country between the tenant farmers on the one hand, and the absentee land-owners on the other, by which the former hope to regain and have restored to them the lands which have unjustly been taken from them; therefore,

Resolved, That this Senate does hereby extend to the wronged and struggling people of Ireland, its warmest sympathies and most cordial wishes for the success of the holy cause in which they are engaged, and that we shall hail with gladness the day when the Irish people shall have their right to the ownership of the soil restored to them, and enjoy all the blessings of free homes and free government.

Senator Hutt moved that when the Senate adjourn it adjourn until to-morrow morning at 10 o'clock; which was agreed to.

On motion of Senator Edwards of St. Charles, the Senate adjourned.

FORTIETH DAY—WEDNESDAY, February 23.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

The following message was received from the Governor through his private Secretary, Mr. Farr:

EXECUTIVE OFFICE,
JEFFERSON CITY, Mo., February 22, 1881. }

SIR: I regret that I am compelled to return to the Senate, in which it originated, a bill entitled "An act to amend section twenty-two (22), article 1, chapter 1 of the Revised Statutes of Missouri, relating to administration," without my approval.

Article 1 of chapter 1, relates to the appointment, qualifications and removal of executors and administrators, and the section sought to be amended by this act defines the duties of judges and clerks of probate courts in taking the bonds and examining the securities required under that chapter.

Section 22 provides that "the court, or judges or clerk in vacation, shall take special care to take, as securities, men who are solvent and sufficient, and who are not bound in too many other bonds." How can judges and clerks carry out and make available for the protection of dead men's estates this most salutary provision? The means are provided in the same section: "and to satisfy themselves, they may take testimony or examine on oath, the applicant, or persons offered as his securities," and as an additional safeguard, this requirement is found in the same section: "and said bond shall be signed and executed in the presence of the court, judge or clerk, who shall certify to the same."

I can not conceive of a valid reason for the modification of either of these provisions. No higher duty can claim the attention of the law-maker than the enactment of such laws as will afford the most certain protection to the property of widows and orphans. Deprived

of natural protection, in a very large majority of instances, left with but meagre patrimony, a part of which must go to the court in the way of fees, the orphan ought, in confidence, to appeal to the legislator to be surrounded by all the safeguards and protection which the law can give.

It certainly can not be argued that the substitution of the word "require" for "take," and "many" for "shall" in the section as it now reads, and the addition of the provisions allowing bonds to be "signed and acknowledged before a notary public or justice of the peace," will throw any additional safeguards around the management of estates. Upon the contrary, it seems to me, that it would operate in a directly opposite direction. In my judgment notaries public and justices of the peace ought not to be endowed with plenary power to determine the proper form of a bond, or the sufficiency of the security offered. For, while the amendment does not provide for this in express terms, that would be its practical effects. These officers would not feel the importance and responsibility of such acts as a judge of court, and as a consequence the examination of securities would soon be a mere form, necessary to be gone through with, in order to obtain letters testamentary or of administration.

Judges of probate courts are elected by the people, with a special view to their fitness and fidelity, and ought to have exclusive control of matters of such vital moment to the large and helpless class which would be so seriously affected by the purposed change.

I do not see why the law as it now stands ought to be changed, and I can not give my consent to any alteration, unless I can be convinced that such alterations would afford greater protection to estates. Feeling thus, I cannot approve the bill. Very respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, President of the Senate.

Senator Manring introduced Senate joint and concurrent resolution No. 12, relating to the absence of members, which was read first time and 50 copies ordered printed.

Senator Caldwell introduced Senate joint and concurrent resolution No. 13, entitled "Joint and concurrent resolution, providing for furnishing township clerks with the Statutes and session acts of the General Assembly; which was read first time and 50 copies ordered printed.

Senator Cottey offered the following resolution, which was read twice and adopted:

WHEREAS, There are many errors in the records of patents in the office of Register of Lands, particularly in the records of patents of the 500,000 acres grant, school lands and swamp land patents, consisting in the omission of the seal of the State, misdescription of land and the omission of the name of the Governor and Secretary of State; and,

WHEREAS, These errors occurred mainly, while this part of the records were in the custody of the Secretary of State; therefore, be it

Resolved, That some provision ought to be made by law to correct these defects, by giving the Governor authority to direct the Register of Lands to correct such records in his office, when it is proven, to the satisfaction of the Governor and Register of Lands, that the person applying for any such corrections is entitled to the same.

2. That the Committee on State Lands be and they are hereby requested to investigate the same and make report of such investigation to the Senate at their earliest possible convenience, by bill or otherwise.

Senator Heard introduced Senate bill No. 199, entitled "An act to regulate the practice of dentistry in this State;" which was read first time and 50 copies ordered printed.

Senator Heard, from the Committee on Banks and Corporations, submitted the following report, which was read:

MR. PRESIDENT: Your Committee on Banks and Corporations, to whom was referred Senate bill No. 159, entitled "An act to amend section 4941, article 5 of chapter 89 of the Revised Statutes of Missouri, relating to cities of the fourth class," beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 159 was taken up and ordered engrossed.

Senator Heard submitted the following report from the Committee on Banks and Corporations, which was read:

MR. PRESIDENT: Your Committee on Banks and Corporations, to whom was referred Senate bill No. 111, entitled "An act to amend section eight hundred and fifteen (815), article 2, chapter 21, Revised Statutes of Missouri, concerning discrimination allowed in the shipment of grain," beg leave to report that they have considered the same, report the following substitute for the same, and recommend that the substitute do pass.

Senate substitute for Senate bill No. 111, reported by the committee, was taken up, read first and second time, adopted and ordered engrossed.

The following message was received from the Governor through his private secretary, Mr. Farr :

EXECUTIVE OFFICE, CITY OF JEFFERSON, }
February 22, 1881.

SIR: I return to the Senate, with my approval endorsed thereon, bills of the following titles :

"An act to amend section 5901 and 5912, chapter 118, article 3, of the Revised Statutes of Missouri, entitled 'Of institutions:'"

"An act to amend section 201, of the Revised Statutes of Missouri, in relation to 'Administration:'"

"An act to amend section 4358 of article 2, of chapter 87, of the Revised Statutes of Missouri, entitled 'Of the restraint of diseased and Texas cattle:'"

Very respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, President of the Senate.

Senator Morrisson submitted the following report from the Committee on Education, which was read :

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate bill No. 172, entitled "An act relating to the distribution of books published by authority of the State of Missouri," beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendment.

Senate bill No. 172 was taken up and the following amendment, reported by the committee, was read twice and adopted, and the bill ordered engrossed :

Amend by striking out all after the enacting clause, and inserting in lieu thereof, as follows: Section 1. The Secretary of State is hereby authorized and required to deliver to the secretary or other proper officer of the Missouri Historical Society, on application therefor, one copy of each publication ordered by law, including reports of the State Board of Agriculture, of the Horticultural Society, of Insurance, the Board of Labor Statistics and of the various State departments, including laws and journals and decisions of the Supreme Court, to be kept and preserved in said historical society for the use of the public."

On second reading of House bills, substitute for House bill No. 145, entitled "An act to amend sections 2835 and 2836, article 2, chapter 44, Revised Statutes of the State of Missouri, entitled 'Jurisdiction of justices of the peace,'" was read first and second times and referred to the Committee on Judiciary.

House bill No. 244, entitled "An act to amend section eight hundred and six (806), chapter twenty-one (21), article (2), Revised Stat-

utes of Missouri, "Concerning corporations," was read first and second times and referred to Committee on Banks and Corporations," was read first and second times and referred to Committee on Banks and Corporations.

Substitute for House bill No. 186, entitled "An act to appropriate money for the support of the State Government for the years 1881 and 1882," was taken up, read first and second times and referred to the Committee on Ways and Means.

Senator Morrisson introduced Senate joint and concurrent resolution No. 14, entitled "Joint and concurrent resolution urging Congress to provide for a survey and preparation of sectional and schedule maps of the swamp and overflowed lands in Southeast Missouri and North-east Arkansas," which was read first time and 50 copies ordered printed.

Senator Morrisson called up Senate bill No. 67, and moved that the Senate go into Committee of the Whole, for the consideration of said bill; which was agreed to. Senator Hutt in the chair.

The committee rose, and Senator Hutt reported progress and asked leave to sit again; which was granted.

The following message was received from the House of Representatives through Mr. Hawley, chief clerk:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up Senate bill No. 6, entitled "An act requiring the Governor to appoint a special committee of the General Assembly to visit and examine the institutions of the State;" and have receded from amendment No. 1, and refused to recede from amendment No. 2, and asks for a conference committee on amendment No. 2, and has appointed the following Conference Committee: Messrs. Cox, McGinnis and Harrington; in which the concurrence of the Senate is respectfully requested.

Which request of the House was granted by the Senate, and the President appointed Senators Cottey, Morrison and Allen, a Committee of Conference on the part of the Senate, to confer with Messrs. Cox, McGinnis and Harrington of the House, on House amendment No. 2 to Senate bill No. 6, entitled "An act requiring the Governor to appoint a special committee of the General Assembly, to visit and examine the institutions of the State."

Senator Morrison moved that when the Senate adjourn it adjourn until to-morrow morning at 10 o'clock.

On motion of Senator Morrisson the Senate adjourned.

FORTY-FIRST DAY—THURSDAY, February 24.

The Senate met pursuant to adjournment.

The president *pro tem.* Senator Morrison, in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read approved.

Petitions, memorials and remonstrances being in order, Senator Rogers presented to the Senate a petition in the form of a beautiful "basket bouquet," from the young lady students of the State University, asking that sufficient appropriations be made for the support and maintenance of said institution as may be deemed equivalent to the merits thereof; which was accepted by the Senate.

Senator Cottey introduced Senate bill No. 200, entitled "An act to amend sections 2724 and 2727, chapter 41 of the Revised Statutes of Missouri, entitled 'Of interest;'" which was read first time and ordered not printed.

Senator Byrns introduced Senate bill No. 201, entitled "An act to authorize counties and municipal townships to build graded, gravel or macadamized roads, and to create an indebtedness therefor;" which was read first time and ordered not printed.

Senator Byrns introduced Senate bill No. 202, entitled "An act to amend section 1878, article 17, chapter 24 Revised Statutes of Missouri, entitled 'Crimes and criminal procedure;'" which was read first time and ordered not printed.

Senator Byrns introduced Senate bill No. 203, entitled "An act in relation to criminal procedure in the city of St. Louis, and to repeal sections 18 and 19 of the appendix to the Revised Statutes of the State of Missouri, concerning 'The criminal court;'" which was read first time and ordered not printed.

Senator Edwards of St. Charles submitted the following reports from the Committee on Engrossed Bills, which were read :

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 129, entitled "An act to repeal an act entitled 'An act to provide for the exercise of the right of voting by persons who have failed to register,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 78, entitled "An act to exempt the husband from the payment of debts of the wife contracted before marriage," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate Bill No. 172, entitled "An act relating to the distribution of books published by authority of the State of Missouri," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Heard submitted the following report from the Committee on Banks and Corporations, which was read :

MR. PRESIDENT: Your Committee on Banks and Corporations to whom was referred Senate bill No. 153, entitled "An act to amend sections 558 and 559, chapter 11, Revised Statutes of Missouri, concerning bills of lading and warehouse receipts," beg leave to report that they have considered the same, and herewith submit a substitute for the same and recommend that the substitute do pass.

The substitute reported by the committee for Senate bill No. 153 was read first and second times, adopted and ordered engrossed.

Senator Cottey submitted the following report from the Committee on Conference :

MR. PRESIDENT: Your Committee of Conference, appointed to adjust the differences between the two Houses in relation to Senate bill No. 6, entitled "An act requiring the Governor to appoint a special committee of the General Assembly to visit and examine the institutions of the State," beg leave to report that they have considered the same and agreed to amend House amendment No. 2 by striking out the words "during the first week of its regular session," and inserting in lieu thereof the following: "Within ten days after the organization of each regular session thereof;" so that said House amendment No. 2, as amended, will read as follows: Amend section 3 by striking out the words "as soon after it convenes as may be practicable," in the eighth and ninth lines of said section, and insert in place thereof the words, "within ten days after the organization of each regular session thereof;" so that said section when amended shall read as follows: Sec. 3. The committee shall be authorized to administer oaths and examine persons under oath, touching the management and administration of the affairs of said institutions, and shall have free access to all the papers, books and records of said institutions; and such committee shall make

a report of such visitation and examination to the General Assembly within ten days after the organization of each regular session thereof, showing the condition and management of said institutions, the receipts of money from all sources, and the disbursement of the same, and such other facts and recommendations as may be deemed pertinent for the information of the General Assembly.

All of which is respectfully submitted:

L. F. COTTEY,
T. J. O. MORRISSON,
THOS. G. ALLEN.

Committee on part of the Senate.

WM. F. COX,
F. M. HARRINGTON,
JAS. C. MCGINNIS.

Committee on part of the House.

Which was read and adopted by the following vote:

AYES—Senators Allen, Bryant, Byrns, Bland, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Gottschalk, Heard, Heaston, Hutt, Jacobs, McMahan, Mabrey, Manistre, Manring, Morrisson, Naylor, Perkins, Rogers, Rouse, Stephens and Walker—26.

ABSENT—Senators Cabell and McGrath—2.

ABSENT ON LEAVE—Senators Bradley, Edwards of Lafayette, Headlee, Lloyd, Mackay and Pehle—6.

Senator Cottey moved to reconsider the vote by which the report was adopted, and to lay the motion to reconsider on the table; the latter motion prevailed.

On second reading of Senate bills,

Senate bill No. 142, entitled "An act to amend the laws in relation to the sale and lease of the Agricultural College lands, and the investment of the proceeds as a permanent fund for the endowment and support of the Agricultural and Mechanical College and School of Mines and Metallurgy, being a department of the State University," was taken up, read second time and referred to the Committee on State Lands.

Senate bill No. 145, entitled "An act to provide for the selection of a uniform system of text-books for the use of the public schools of the State, and to regulate and control the introduction and sale of the same," was read second time and referred to the Committee on Education.

Senate bill No. 168, entitled "An act to amend section 7469, article 7, chapter 162, Revised Statutes of the State of Missouri, 1879," was

read second time and referred to the Committee on Township Organization.

Senate bill No. 174, entitled "An act in relation to appeal bonds and recognizances," was read second time and referred to Committee on Judiciary.

On third reading of Senate bills,

Senate joint and concurrent resolution No. 4, entitled "Joint and concurrent resolution urging Congress to aid the construction of a ship railway across the Isthmus of Tehuantepec," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Gottschalk, Heard, Heaston, Jacobs, McGrath, McMahan, Mabrey, Manistre, Manring, Morrisson, Naylor, Perkins, Rogers, Rouse, Stephens and Walker—27.

ABSENT—Senator Hutt.

ABSENT ON LEAVE—Senators Bradley, Edwards of Lafayette, Headlee, Lloyd, Mackay and Pehle—6.

The title of the bill was then read and agreed to.

Senator Heaston moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; which latter motion prevailed.

Senate bill No. 92, entitled "An act to enable insurance companies other than life to surrender their special charters and accept in lieu thereof the provisions of the general insurance statutes," was taken up and made the special order for 11 o'clock to-morrow morning.

Senate bills Nos. 113 and 117 were taken up and laid over informally.

Senate bill No. 129, entitled "An act to repeal an act entitled 'An act to provide for the exercise of the right of voting by persons who have failed to register,'" was taken up, read the third time and passed by the following vote:

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Gottschalk, Heard, Heaston, Hutt, Jacobs, McGrath, McMahan, Mabrey, Manistre, Manring, Morrisson, Naylor, Perkins, Rogers, Rouse, Stephens and Walker—28.

ABSENT ON LEAVE—Senators Bradley, Edwards of Lafayette, Headlee, Lloyd, Mackay and Pehle—6.

The emergency clause was read and passed by the following vote:

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Gottschalk, Heard, Heaston, Hutt, Jacobs, McGrath, McMahan, Mabrey, Manistre, Manring, Morrisson, Naylor, Perkins, Rogers, Rouse, Stephens and Walker—28.

ABSENT ON LEAVE—Senators Bradley, Edwards of Lafayette, Headlee, Lloyd, Mackay and Pehle—6.

The title of the bill was agreed to.

Senator Naylor moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; which latter motion prevailed.

Senate bill No. 78 was taken up and laid over informally.

Senate bill No. 172, entitled "An act relating to the distribution of books published by authority of the State of Missouri," was taken up, read the third time and passed by the following vote:

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dobyns, Dungan, Edwards of St. Charles, Gottschalk, Heard, Heaston, Hutt, Jacobs, McGrath, McMahan, Manistre, Manring, Morrisson, Naylor, Perkins, Rouse, Stephens and Walker—25.

NOES—Senators DeArmond, Mabrey and Rogers—3.

ABSENT ON LEAVE—Senators Bradley, Edwards of Lafayette, Headlee, Lloyd, Mackay and Pehle—6.

Title of bill read and agreed to.

Senator Dungan moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; which latter motion prevailed.

On third reading of House bills,

House bill No. 179, entitled "An act to amend section 238, article 10, chapter 1 of the Revised Statutes of the State of Missouri, in reference to making the final settlements of executors and administrators," was taken up, read the third time and passed by the following vote:

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Gottschalk, Heard, Heaston, Hutt, Jacobs, McGrath, McMahan, Mabrey, Manistre, Manring, Morrisson, Naylor, Perkins, Rogers, Rouse, Stephens and Walker—27.

NO—Senator Cottey.

ABSENT ON LEAVE—Senators Bradley, Edwards of Lafayette, Headlee, Lloyd, Mackay and Pehle—6.

The title of the bill was read and agreed to.

Senator Caldwell moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

House bill No. 217, entitled "An act to amend section 1622 of article 8 of chapter 24 of the Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure,'" was taken up, read the third time and passed by the following vote:

AYES—Senators Allen, Bryant, Byrns, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Gottschalk, Heard, Hutt, Jacobs, McGrath, McMahan, Mabrey, Manistre, Manring, Morrisson, Naylor, Perkins, Rogers, Rouse, Stephens and Walker—26.

NOES—Senators Bland and Heaston—2.

ABSENT ON LEAVE—Senators Bradley, Edwards of Lafayette, Headlee, Lloyd, Mackay and Pehle—6.

The title of the bill was read and agreed to.

Senator Byrns moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; which was agreed to.

By consent, the rules were suspended, and Senator Hutt introduced Senate bill No. 204, entitled "An act to exempt the husband from the payment of debts of the wife contracted before marriage;" which was read first time and ordered not printed.

Senator DeArmond moved that when the Senate adjourn it adjourn until to-morrow morning at 10 o'clock, which was agreed to.

By consent, Senator Heard presented a petition from citizens of Sedalia and Pettis county, and one from Sedalia Lodge No. 656, Independent Order of Good Templars, praying for the submission of a Constitutional amendment to a vote of the people of this State, forever prohibiting the manufacture, sale or traffic in intoxicating liquors within the boundaries of this State; which were referred to the Committee on Constitutional Amendments.

Senator DeArmond presented a petition from citizens of Polk county praying for the submission to a vote of the people a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors in this State; which was referred to the Committee on Constitutional Amendments.

Senator Heaston introduced Senate joint and concurrent resolution No. 15, entitled "Joint and concurrent resolution in relation to adjournment;" which was read first time and ordered not printed.

On motion of Senator Perkins, the Senate adjourned.

FORTY-SECOND DAY—FRIDAY, February 25.

The Senate met pursuant to adjournment.

The President *pro tem.*, Senator Morrisson, in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

Senator Heaston presented a petition from citizens of Jameson, Daviess county, asking the submission of an amendment to the Constitution to prohibit the manufacture of, or traffic in, intoxicating liquors in this State; which was referred to the Committee on Constitutional Amendments.

The following message was received from the House of Representatives through Mr. Hawley, Chief Clerk:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed House bill No. 464, entitled "An act to amend section 6733 of the Revised Statutes of Missouri, relating to collectors' bonds," in which the concurrence of the Senate is respectfully requested.

The President announced that all other business would be suspended and directed the Secretary to read at length House joint and concurrent resolution No. 13, entitled "Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to favor the passage of an act giving pensions to the surviving soldiers of the Mexican war," and that, unless objections be made, he would sign the same, to the end that it may become a law.

No objection being made, House joint and concurrent resolution No. 13 was read at length by the Secretary, and the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto; said bill was also signed by the Secretary.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 23, entitled "An act to amend section 145, article 8, chapter 1, Revised Statutes of Missouri, entitled "Redemption, sale

and conveyance of real estate," beg leave to report that they have considered the same, and recommend that the accompanying substitute do pass.

Substitute for Senate bill No. 23, reported by the committee, was taken up, read the first and second times, adopted and ordered engrossed.

Senator Byrns submitted the following reports from the Committee on Criminal Jurisprudence, which were read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 238, entitled "An act for the relief of James W. Liggett, marshal of Jackson county, and to appropriate money therefor," beg leave to report that they have considered the same, and recommend that it do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred substitute for House bill No. 166, entitled "An act for the relief of Newton M. Cobb and to appropriate money therefor," beg leave to report that they have considered the same, and recommend that it do pass.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 156, entitled "An act to repeal section 116, article 6, chapter 1, Revised Statutes of Missouri, in relation to sales of personal property in administration, and enacting in lieu thereof a new section," beg leave to report that they have considered the same, and a majority of the committee instruct me to report it back with the recommendation that it do pass.

Senate bill No. 156 was taken up and ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary to whom was referred Senate bill No. 155, entitled "An act to amend section 295, article 14, chapter 1 of the Revised Statutes of Missouri, relating to appeals in administration," beg leave to report that they have considered the same and recommend that it do pass.

Senate bill No. 155 was taken up and ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary to whom was referred Senate bill No. 166, entitled "An act to amend section 3091, chapter 45, Revised Statutes of Missouri, entitled 'Of landlords and

tenants,'” beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 166 was taken up and ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary to whom was referred Senate bill No. 158, entitled “An act in relation to service of notices by notaries public,” beg leave to report that they have considered the same, and report it back without recommendation.

Senate bill No. 158 was taken up and ordered engrossed.

Senator Walker submitted the following report from the select committee to secure rooms for use of committees, which was read, agreed to and ordered filed:

MR. PRESIDENT: Your committee to rent rooms for committees, report that they have rented a room from February 7th, at Mrs. Bodenheimer's, for Committee on Enrolled Bills, at \$15 per month; also, one of P. F. Ellis for Committee on Engrossed Bills from February 14th, at \$15 per month.

On second reading of Senate bills, Senate bill No. 200, entitled “An act to amend sections 2724 and 2727, chapter 41, Revised Statutes of Missouri, entitled ‘Of interest,’” was read second time and referred to Committee on judiciary.

Senate bill No. 201, entitled “An act to authorize counties and municipal townships to build graded, graveled or macadamized roads, and to create an indebtedness therefor,” was read second time and referred to Committee on Roads and highways.

Senate bill No. 202, entitled “An act to amend section 1878, article 24, Revised Statutes, entitled ‘Crimes and criminal procedure,’” was read second time and referred to the Committee on Criminal Jurisprudence.

Senate bill No. 203, entitled “An act in relation to criminal procedure in the city of St. Louis, and to repeal sections 18 and 19 of the Appendix to the Revised Statutes of the State of Missouri, concerning ‘The criminal court,’” was read second time and referred to Committee on Criminal Jurisprudence.

Senate bill No. 204, entitled “An act to exempt the husband from the payment of debts of the wife contracted before marriage,” was read second time and referred to Committee on judiciary.

Senate joint and concurrent resolution No. 15, entitled “Joint and concurrent resolution in relation to adjournment,” was read second time and referred to Committee on Ways and Means.

Senator Edwards of St. Charles submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 139, entitled "An act to provide for medical treatment of insane criminals, and to appropriate money therefor," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

On third reading of House bills, substitute for House bill No. 166, entitled "An act for the relief of Newton M. Cobb, and to appropriate money therefor," was taken up, read third time, and passed by the following vote:

AYES—Senators Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Gottschalk, Heard, Heaston, Hutt, Jacobs, McGrath, McMahan, Mabrey, Manistre, Manring, Morrisson, Naylor, Perkins Rogers, Rouse, Stephens and Walker—27.

ABSENT—Senator Allen.

ABSENT ON LEAVE—Senators Bradley, Edwards of Lafayette, Headlee, Lloyd, Mackay and Pehle—6.

The title of the bill was read and agreed to.

Senator Byrns moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table. The latter motion prevailed.

House bill No. 238, entitled "An act for the relief of James W. Liggett, marshal of Jackson county, was taken up read third time and passed by the following vote:

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Gottschalk, Heard, Heaston, Hutt, Jacobs, McGrath, McMahan, Mabrey, Manistre, Manring, Morrisson, Naylor, Perkins, Rogers, Rouse, Stephens and Walker—28.

ABSENT ON LEAVE—Senators Bradley, Edwards of Lafayette, Headlee, Lloyd, Mackay, and Pehle—6.

The emergency clause of said bill was passed by the following vote:

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dungan, Edwards of St. Charles, Heard, Heaston, Hutt, McGrath, McMahan, Mabrey, Manistre, Manring, Morrisson, Naylor, Perkins, Rouse, Stephens and Walker—23.

NOES—Senators DeArmond, Dobyns, Gottschalk, Jacobs and Rogers—5.

ABSENT WITH LEAVE—Senators Bradley, Edwards of Lafayette, Headlee, Lloyd, Mackay, and Pehle—6.

The title of the bill was read and agreed to.

Senator Byrns moved to reconsider the vote by which the bill passed, and lay the motion to reconsider on the table; the latter motion prevailed.

Senator Dobyms, from the Committee on Constitutional amendments, introduced Senate joint and concurrent resolution No. 16, entitled "Concurrent resolution submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof, concerning the judicial department;" which was read first time.

Senator Stephens introduced Senate bill No. 205, entitled "An act to amend section 7195, chapter 152, Revised Statutes of 1879, in relation to shows and circuses;" which was read first time and 50 copies ordered printed.

Senator Heaston introduced Senate bill No. 206, entitled "An act for the relief of Thomas J. Baker, and to appropriate money therefor;" which was read first time and ordered not printed.

Senator Heaston introduced Senate bill No. 207, entitled "An act for the relief of Hazleton J. Skinner, and to appropriate money therefor;" which was read first time and ordered not printed.

Senator Dungan introduced Senate bill No. 208, entitled "An act relating to the publication and distribution of Hunt's Minutes;" which was read first time and 50 copies ordered printed.

Senator DeArmond introduced Senate bill No. 209, entitled "An act to amend section 6495, Revised Statutes of Missouri, entitled 'Of notaries public;'" which was read first time and ordered not printed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 203, entitled "An act in relation to criminal procedure in the city of St. Louis, and to repeal sections 18 and 19 of the Appendix to the Revised Statutes of the State of Missouri, concerning 'The criminal court,'" beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 203 was taken up and ordered engrossed.

Senator DeArmond called up Senate bill No. 103, entitled "An act to regulate practice in the Supreme Court, and to aid in disposing of cases pending in said court," and the pending substitute for said bill was read the second time and adopted and ordered engrossed.

The President laid before the Senate the following communication from the State Auditor, which was referred to the Committee on State Lands:

HON. ROBERT A. CAMPBELL, President of the Senate:

DEAR SIR: In compliance with section 6111, Revised Statutes, I submit the following abstract of certificates of the Register of Lands filed in my office on the 16th and 18th days of February, 1881, in relation to erroneous sales by the State of Missouri of certain tracts of State lands, each of said tracts of land having been sold to two persons:

ABSTRACT:

West half northwest quarter of section 36, township 27, range 13 east, sold to Hezekiah Lindsay, of Brown county, Ohio, October 5th, 1840, for \$99.83.

West half northwest quarter of section 36, township 27, range 13 east, sold to Geo. W. Arnold and Geo. W. Fricke, of Scott county, Mo., January 22, 1868, for \$103.60.

Northwest quarter of section 31, township 66, range 10 west, containing 142 and 20-100 acres, sold to Edward Price of Marion county, Mo., July 7, 1869, for \$177.75.

It is further certified by the Register of Lands that said northwest quarter, section 31, township 66, range 10 west, is not included in any grant of land by the United States to the State of Missouri, and that the above facts are shown by a letter from the Commissioner of the General Land Office, dated May 4th, 1844, rejecting said tract of land, etc.

Very respectfully,

JOHN WALKER, State Auditor.

On motion of Senator Bryant, the Senate went into executive session at 12:10 o'clock P. M., and at 12:35 P. M. the Senate resumed regular session.

Senator Cottey called up substitute for Senate bills Nos. 3, 14, 15, 21, 32, 38, 54, 59, 79, 109, 127 and 131, entitled "An act to revise and amend chapter 145, Revised Statutes, entitled 'Of the assessment and collection of the revenue,'" and moved that it be made the special order for to-morrow morning at 11 o'clock; which was agreed to.

Senator DeArmond moved that when the Senate adjourn, it adjourn until 10 o'clock to-morrow morning; carried.

On motion of Senator DeArmond the Senate adjourned.

FORTY-THIRD DAY—SATURDAY, February 26.

The Senate met pursuant to adjournment.

The President *pro tem.*, Senator Morrisson, in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Senator Stephens presented a memorial from the Board of Curators of University of the State of Missouri, praying for an additional appropriation; which was read and 300 copies ordered printed.

Senator Dobyns presented a petition from citizens of Shelby county, Missouri, praying for an amendment to the Constitution prohibiting the importation, manufacture and sale of intoxicating liquors in this State.

Senator Manistre introduced Senate bill No. 210, entitled "An act to repeal section three of an act entitled 'An act concerning street railroads in the city of St. Louis,' approved January 16th, 1860;" which was read first time and 50 copies ordered printed.

Senator DeArmond introduced Senate bill No. 211, entitled "An act in relation to the sale and leasing of real the estate of persons of unsound mind, and the reinvestment and other disposition of the proceeds thereof; which was read first time and ordered not printed.

Senator DeArmond introduced Senate bill No. 212, entitled "An act to amend section 3318, chapter 52, Revised Statutes, 'Of mortgages and deeds of trust;" which was read first time and ordered not printed.

Senator DeArmond introduced Senate bill No. 213, entitled "An act to define the mode and manner of publishing notices of sale of real and personal estate by sheriffs, mortgagees, trustees and others;" which was read first time and ordered not printed.

Senator DeArmond introduced Senate bill No. 214, entitled "An act to declare the meaning of the word 'vocation' in certain cases;" which was read first time and ordered not printed.

Senator Stephens introduced Senate bill No. 215, entitled "An act in relation to the assessment of real estate on county lines;" which was read first time and 50 copies ordered printed.

Senator Walker introduced Senate bill No. 216, entitled "An act to prohibit corporations that operate parallel and competing lines of

railroads from consolidating, and to prohibit the officers of the one from being the officers of the other;" which was read first time and 50 copies ordered printed.

Senator Morrison introduced Senate bill No. 217, entitled "An act for the relief of James S. Rollins, and to appropriate money therefor;" which was read first time and 50 copies ordered printed.

Senator Heard introduced Senate bill No. 218, entitled "An act to amend section 1486, article 6, chapter 24, Revised Statutes, concerning 'Crimes and criminal procedure;'" which was read first time and 50 copies ordered printed.

Senator Edwards of St. Charles submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 104, entitled "An act to amend section 818, chapter 21, article 2, Revised Statutes, entitled 'Railroad companies;'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 151, entitled "An act to authorize the appointment of stenographers in courts exercising criminal jurisdiction in cases of felony in cities having a population of more than one hundred thousand inhabitants," beg leave to report that they have considered the same, and recommend that it do pass with accompanying amendment.

The following amendment, offered by the committee to the Senate bill No. 151, was read twice and adopted and the bill ordered engrossed :

Amend section 5 by adding at the end thereof the following: "And provided that in cases of appeal, and on motions for new trials, the transcripts of the evidence shall be furnished to the defendant and upon the order of the court without costs to said defendant."

Senator Manring submitted the following report from the Committee on Township Organization;" which was read :

MR. PRESIDENT: Your Committee on Township Organization to whom was referred Senate bill No. 190, entitled "An act to amend article 8, chapter 162 Revised Statutes, entitled 'Of township organization,' by adding a new section thereto in reference to procuring

record books and stationery," beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 190 was taken up and ordered engrossed.

Senator Manring submitted the following report from the Committee on Township Organization :

MR. PRESIDENT: Your Committee on Township Organization to whom was referred Senate bill No. 168, entitled "An act to amend section 7469, article 7, chapter 162, Revised Statutes of Missouri, 1879," beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 168 was taken up and ordered engrossed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 165, entitled "An act to amend section 1715, article 12, chapter 24, Revised Statutes, entitled 'Surety to keep the peace,'" beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 165 was taken up and ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 174, entitled "An act in relation to appeal bonds and recognizances," beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 174 was taken up and ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 164, entitled "An act to amend section 1158, article 4, chapter 23 Revised Statutes, 'Of courts of record,'" beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 164 was taken up and ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 147, entitled "An act to provide for the submission of Constitutional amendments to a vote of the people," beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 147 was taken up and ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 204, entitled "An act to exempt the husband from payment of debts of the wife contracted before marriage," beg leave to report that have considered the same, and recommend that it do pass with the accompanying amendment.

Senate bill No. 204 was taken up and the following amendment reported by the committee was read twice and adopted and the bill ordered engrossed :

Amend section 1 by striking out "by virtue of the marriage," when it occurs between "wife" and "shall," in the ninth line of said section.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 218, entitled "An act to amend sections 2798 and 2799 Revised Statutes, 'Of grand and petit jurors,'" beg leave to report that they have considered the same, and recommend that it do not pass.

House bill No. 218 was taken up and indefinitely postponed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 157, entitled "An act to amend section 5824, chapter 116, Revised Statutes, relating to insane persons," beg leave to report that they have considered the same, and a majority of the committee instruct me to report it back with the recommendation that it do pass, with the accompanying amendment.

Senate bill No. 157 was taken up, and the following amendment, reported by the committee, was read first and second times, and the bill, as amended, ordered engrossed :

Amend section 1 by striking out "shall," where it occurs between "had" and "pay" in said section, and inserting in lieu thereof the following: "may in the discretion of the court, be required to."

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary to whom was referred Senate bill No. 290, entitled "An act to amend sections 2724 and 2727, chapter 41, Revised Statutes, entitled 'Of interest,'" beg leave to report that they have considered the same, and a majority of

the committee instruct me to report it back with the recommendation that it do pass.

Senate bill No. 200 was taken up, and ordered engrossed, by the following vote, the ayes and noes being demanded :

AYES—Senators Allen, Caldwell, DeArmond, Dobyns, Edwards of St. Charles, Heard, Hutt, Mabrey, Manring, Morrisson, Rouse and Stephens—12.

NOES—Senators Bryant, Bland, Cabell, Cottey, Dungan, Gottschalk, Heaston, Jacobs, McGrath, Manistre, Naylor, Perkins, Rogers and Walker—14.

ABSENT ON LEAVE—Senators Bradley, Byrns, Edwards of Lafayette, Headlee, Lloyd, Mackay and Pehle—7.

SICK—Senator McMahan.

Senator Cottey moved to reconsider the vote by which the Senate refused to order the bill to engrossment.

The ayes and noes being demanded, the motion to reconsider prevailed by the following vote :

AYES—Senators Allen, Bryant, Byrns, Caldwell, Cottey, DeArmond, Dobyns, Edwards of St. Charles, Heard, Hutt, Mabrey, Manring, Morrisson, Rouse and Stephens—15.

NOES—Senators Bland, Cabell, Dungan, Gottschalk, Heaston, Jacobs, McGrath, Manistre, Naylor, Perkins, Rogers and Walker—12.

ABSENT ON LEAVE—Senators Bradley, Edwards of Lafayette, Headlee, Lloyd, McMahan, Mackay and Pehle—7.

The bill was then ordered engrossed by the following vote :

AYES—Senators Allen, Bryant, Byrns, Caldwell, Cottey, DeArmond, Dobyns, Edwards of St. Charles, Heard, Hutt, Mabrey, Manring, Morrisson, Rouse and Stephens—15.

NOES—Senators Bland, Cabell, Dungan, Gottschalk, Heaston, Jacobs, McGrath, Manistre, Naylor, Perkins, Rogers and Walker—12.

ABSENT ON LEAVE—Senators Bradley, Edwards of Lafayette, Headlee, Lloyd, McMahan, Mackay and Pehle—7.

An executive message was received from the Governor through his private Secretary, Mr. Farr.

On second reading of Senate bills, substitute for Senate bill No. 11 was taken up, and laid over informally.

Senate bill No. 175, entitled "An act to amend section 5441, Revised Statutes, entitled 'Of dramshops,'" was taken up, and Senator Dungan offered the following amendment, which was read first and second times :

Amend by striking out the words "fifty nor more than two," in

seventh line, printed bill, and inserting in lieu thereof the words "one hundred nor more than five."

Senator Manistre moved to lay the amendment on the table.

The ayes and noes being demanded, the motion was lost by the following vote:

AYES—Senators Allen, Cabell, Gottschalk and Manistre—4.

NOES—Senators Bryant, Byrns, Bland, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Heard, Heaston, Hutt, Jacobs, McGrath, Mabrey, Manring, Morrisson, Naylor, Perkins, Rogers, Rouse, Stephens and Walker—23.

ABSENT ON LEAVE—Senators Bradley, Edwards of Lafayette, Headlee, Lloyd, Mackay, McMahan and Pehle—7.

The amendment was then lost, and the bill referred to the Committee in Criminal Jurisprudence.

On motion of Senator Byrns, the rules were suspended, and Senate bill No. 203 was ordered printed out of order.

The following message was received from the House of Representatives, through Mr. Hannay, Assistant Chief Clerk:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and adopted report of Conference Committee on Senate bill No. 6:

Also, that the House has taken up and passed substitute for House bills Nos. 311 and 440, entitled "An act to amend section 6785, article 4, chapter 145, Revised Statutes, 1879, concerning the assessment and collection of the revenue"—

In which the concurrence of the Senate is respectfully requested.

Also, that the House has taken up and concurred in Senate amendment to substitute for House bill No. 69.

On motion of Senator Cottey, the Senate went into executive session at 11:15.

At 11:20 the Senate resumed its regular session.

On second reading of Senate bills, Senate bill No. 176, entitled "An act to regulate the sale of vinegar in this State;" was read the second time and referred to the Committee on Criminal Jurisprudence.

Senate bill No. 169, entitled "An act to amend section 790, chapter 21, article 2 of the Revised Statutes of this State, entitled 'Railroad companies;'" was read second time and referred to the Committee on Banks and Corporations.

Senate bill No. 177, entitled "An act for the relief of Charles G.

Comstock, and to appropriate money therefor;" was read second time and referred to the Committee on Claims.

Senate bill No. 178, entitled "An act for the relief of D. P. Dyer, and to appropriate money therefor;" was read second time and referred to the Committee on Claims.

Senate bill No. 180, entitled "An act to amend section twenty-six hundred and eighty-nine (2689), chapter thirty-nine (39) of the Revised Statutes of Missouri, 'Of homesteads;'" was read second time and referred to the Committee on Judiciary.

Senate bill No. 181, entitled "An act to amend section 912, chapter 21 of the Revised Statutes, entitled 'Of private corporations;'" was read second time and referred to the Committee on Banks and Corporations.

Senate bill No. 182, entitled "An act to amend section 7628, article 1, chapter 164, Revised Statutes of Missouri, entitled 'Of the State Treasury;'" was read second time and referred to the Committee on Ways and Means.

Senate bill No. 183, entitled "An act to amend section 1854, article 17, chapter 24, Revised Statutes of Missouri, entitled 'Of Crimes and criminal procedure;'" was read second time and referred to the Committee on Criminal Jurisprudence.

Senate bill No. 184, entitled "An act to amend sections 5853 and 5868 of article 2 of chapter 117 of the Revised Statutes of the State of Missouri, concerning 'Inspection of tobacco;'" was read second time and referred to the Committee on Retrenchment and Reform.

Senate bill No. 185, entitled "An act to amend sections 5442 and 5464 of chapter 98 of the Revised Statutes of Missouri, entitled 'Of dramshops;'" was read second time and referred to the Committee on Criminal Jurisprudence.

Senate bill No. 186, entitled "An act concerning the transportation of nitro-glycerine and other combustible and explosive articles," was read second time and referred to the Committee on Criminal Jurisprudence.

Senate bill No. 187, entitled "An act to create the office of public guardian and to provide for the appointment of public guardians, for the better protection of orphans, neglected and destitute children," was read second time and referred to Committee on Judiciary.

Senate bill No. 206, entitled "An act for the relief of Thomas J. Barker, and to appropriate money therefor," was read second time and referred to Committee on Criminal Jurisprudence.

Senate bill No. 207, entitled "An act for the relief of Hazelton J. Skinner, and to appropriate money therefor," was read second time and referred to Committee on Criminal Jurisprudence.

Senate bill No. 209, entitled "An act to amend section 6459, Revised Statutes, entitled 'Of notaries public,' " was taken up, read second time and referred to the Committee on Judiciary.

Senate bill No. 197, entitled "An act to amend section 3172, article 1, chapter 47, Revised Statutes of 1879, entitled 'Mechanics' liens,' " was taken up, read second time and referred to the Committee on Judiciary.

Senate bill No. 192, entitled "An act to provide for greater security to the State arms, and to encourage the organization of volunteer militia companies," was taken up, read second time and referred to the Committee on Militia.

On third reading, Senate bill No. 139, entitled "An act to provide for the medical treatment of insane criminals, and to appropriate money therefor," was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bryant, Byrns, Bland, Oabell, Caldwell, Cottey, Dobyns, Dungan, Edwards of St. Charles, Gottschalk, Heard, Hutt, Jacobs, McGrath, Manistre, Morrisson, Naylor, Perkins, Rouse, Stephens and Walker—22.

NOES—Senators DeArmond, Heaston and Manring—3.

ABSENT—Senators Mabrey and Rogers—2.

ABSENT ON LEAVE—Senators Bradley, Edwards of Lafayette, Headlee, Lloyd, Mackay and Phele—6.

SICK—Senator McMahan.

The title of the bill was read and agreed to.

Senator Walker moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

House bill No. 464, entitled "An act to amend section 6733, Revised Statutes, in relation to collectors' bonds," was taken up and read the first time.

Substitute for Senate bill No. 92 was taken up and made special order for next Tuesday at 11 o'clock.

Senate bill No. 57, entitled "An act to amend sections 5371, 5372 and 5407 of article 4, chapter 95 of the Revised Statutes of Missouri, entitled 'Of counties,' " was taken up and the following amendment was read :

Amend section 2 by inserting the word "be" between the words "interest" and "so," in the fifth line thereof.

The amendment was adopted by the following vote :

AYES—Senators Allen, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Gottschalk, Heard, Heaston, Jacobs, McGrath, Mabrey, Manistre, Manring, Morrisson, Naylor, Perkins, Rogers, Rouse, Stephens and Walker—25.

NO—Senator Hutt.

ABSENT ON LEAVE—Senators Bradley, Bryant, Edwards of Lafayette, Headlee, Lloyd, McMahan, Mackay and Pehle—8.

Senator Cottey moved to reconsider the vote by which the bill passed, and Senator Edwards of St. Charles moved to lay the motion to reconsider on the table; the latter motion prevailed.

Senator DeArmond submitted the following report from the Committee on Judiciary :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 160, entitled "An act to amend section 3311, chapter 52, Revised Statutes, entitled 'Of mortgages and deeds of trust,' " beg leave to report that they have considered the same, and report the accompanying substitute, with the recommendation that the same do pass.

The substitute for Senate bill No. 160, reported by the committee, was read first and second times, adopted and ordered engrossed.

On motion of Senator Cottey, the Senate took a recess until 2 o'clock P. M.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Senator Morrisson in the chair.

There being no quorum present, Senator Edwards of St. Charles moved a call of the Senate, which was ordered.

On call of the roll the following Senators answered to their names:

Senators Byrns, Bland, Cabell, Dobyns, Dungan, Edwards of St. Charles, Gottschalk, Heard, Heaston, Hutt, McGrath, Mabrey, Manistre, Manring, Morrisson, Naylor, Rogers, Rouse and Stephens—19.

Senators Cottey, Bryant, Perkins, DeArmond, Caldwell and Walker were brought in by the Sergeant-at-Arms, and on good cause being shown for their absence, they were excused.

ABSENT ON LEAVE—Senators Allen, Bradley, Edwards of Lafayette,

Headlee, Jacobs, Lloyd, McMahon, Mackey and Pehle—6.

On motion of Senator Cottey, further proceedings under the call were dispensed with.

On motion of Senator Byrns the memorial from the Board of Curators of the University of the State was ordered printed immediately and out of its regular order.

On motion of Senator Dobyms, Senate joint and concurrent resolution No. 16 was taken up and ordered printed out of its regular order.

Senator Cottey called up substitute for Senate bills Nos. 3, 4, 12, 15, 21, 32, 38, 54, 59, 79, 109, 127 and 131, and moved that the Senate go into a Committee of the Whole for its consideration; which was agreed to, Senator Hutt in the chair.

When the committee rose, the President *pro tem.*, Senator Morrisson, called the Senator to order, and Senator Hutt reported progress, and asked leave to sit again at 11 o'clock next Monday morning, which was granted.

Senator Hutt called up substitute for Senate bills Nos. 80, 86 and 88, entitled "An act to secure the adjustment and settlement of claims of the State of Missouri against the United States for enrolling, equipping and subsisting the militia forces thereof in suppressing the rebellion, and also claims of this State for five per cent. upon Government lands disposed of by the United States, which have not heretofore been adjusted;" which was read second time, adopted and ordered engrossed.

On motion of Senator Edwards of St. Charles, the Senate adjourned until 10 o'clock to-morrow morning.

FORTY-FOURTH DAY—MONDAY, February 28.

The Senate met pursuant to adjournment.

The President *pro tem.*, Senator Morrisson, in the chair.

Prayer by the Chaplain.

A quorum present.

The journal of Saturday read and approved.

Senator Heaston presented a petition from citizens of Salem, Daviess county, Missouri, asking the submission of an amendment to the Constitution, to prohibit the manufacture of, or traffic in, intoxicating liquors in this State; which was referred to the Committee on Constitutional Amendments.

Senator Hutt introduced Senate bill No. 219, entitled "An act to amend the Constitution of the State of Missouri, to reorganize the judicial system and to make and formulate rules relative thereto;" which was read first time and 50 copies ordered printed.

Senator Walker introduced Senate bill No. 220, entitled "An act for the punishment of persons convicted of arson, burglary, robbery or larceny for the second or third times;" which was read first time and 50 copies ordered printed.

Senator Walker introduced Senate bill No. 221, entitled "An act relating to the law of libel;" which was read first time and 50 copies ordered printed.

Senator Manring introduced Senate bill No. 222, entitled "An act to amend section 676, chapter 20, Revised Statutes, entitled 'Of conveyances of real estate;'" which was read first time and 50 copies ordered printed.

Senator Cabell introduced Senate bill No. 223, entitled "An act to amend section 1486, chapter 24, article 6, Revised Statutes, in relation to exacting illegal fees;" which was read first time and ordered not printed.

Senator Rouse introduced Senate bill No. 224, entitled "An act to amend section 5617, chapter 103, Revised Statutes, entitled 'Of fees;'" which was read first time and ordered not printed.

Senator Rogers introduced Senate bill No. 225, entitled "An act to amend section 6315, chapter 129, Revised Statutes, 'Of merchants' licenses;'" which was read first time and 50 copies ordered printed.

Senator Stephens introduced Senate bill No. 226, entitled "An act to amend section 6314, chapter 129, Revised Statutes, in relation to merchants' license;" which was read first time and 50 copies ordered printed.

Senator Rouse introduced Senate bill No. 227, entitled "An act to amend section 5607, chapter 103, Revised Statutes, entitled 'Of fees;'" which was read first time and ordered not printed.

Senator Cottey introduced Senate bill No. 228, entitled "An act to amend section 2882, article 5, chapter 44, Revised Statutes, entitled

‘Of replevin;’” which was read first time and 50 copies ordered printed.

Senator Dobyms introduced Senate bill No. 229, entitled “An act to amend section 2710, chapter 40, Revised Statutes, entitled ‘Of injunctions;’” which was read first time and ordered not printed.

Senator Dobyms introduced Senate bill No. 230, entitled “An act to amend section 6938, chapter 147, Revised Statutes, entitled ‘Of roads and highways;’” which was read first time and ordered not printed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 149, entitled “An act to amend section 5467, chapter 98, of the Revised Statutes of Missouri, entitled, ‘Of dramshops;’” beg leave to report that they have considered the same and recommend that it do pass.

Senate bill No. 149 was taken up and ordered engrossed.

Senator Naylor submitted the following report from the Committee on Insurance, which was read :

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate bill No. 72, entitled “An act to amend chapter 119, Revised Statutes, entitled ‘Of insurance,’ by providing for the imposition and collection of fines and penalties,” beg leave to report that they have considered the same, and recommend the accompanying substitute do pass.

Substitute for Senate bill No. 72, reported by the Committee, was taken up, read first and second times and adopted, and the bill ordered engrossed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 202, entitled “An act to amend section 1878, article 17, chapter 24, Revised Statutes, entitled ‘Crimes and criminal procedure;’” beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 202 was taken up and ordered engrossed.

The President announced that all other business would be suspended, and directed the Secretary to read at length substitute for House bill No. 166, entitled “An act for the relief of Newton M. Cobb, and to appropriate money therefor,” and that unless objections be made, he would sign the same, to the end that it may become a law.

The bill was read at length by the Secretary, no objections being made, and the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto; said bill was also signed by the Secretary.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 179, entitled "An act to amend section 238, article 10, chapter 1 of the Revised Statutes of Missouri, in reference to making the final settlements of executors and administrators," and that, unless objection be made, he would sign the same, to the end that it may become a law.

The bill was read at length by the Secretary, no objections being made, and the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto; said bill was also signed by the Secretary.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 217, entitled "An act to amend section 1622, article 8, chapter 24, Revised Statutes, entitled 'Of crimes and criminal procedure,'" and that, unless objection be made, he would sign the same to the end that it may become a law.

The bill was read at length by the Secretary, and, no objections being made, the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto, said bill was also signed by the Secretary.

Senator Edwards of St. Charles submitted the following report from the Committee on Engrossed Bills:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 133, entitled "An act to provide for the registration of all voters in cities having a population of more than one hundred thousand inhabitants, and to govern elections in such cities, and to repeal an act entitled 'An act to provide for the exercise of the right of voting by persons who have failed to register,' approved March 30, 1877, and all acts and parts of acts conflicting herewith," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

On second reading of Senate bills,

Senate bill No. 212, entitled "An act to amend section 3318, chapter 52, Revised Statutes, 'Of mortgages and deeds of trust,'" was read the second time and referred to the Committee on Judiciary.

Senate bill No. 211, entitled "An act in relation to the sale and

leasing of the real estate of persons of unsound mind, and the reinvestment and other disposition of the proceeds thereof," was read second time and referred to the Committee on Judiciary.

Senate bill No. 213, entitled "An act to define the mode and manner of publishing notices of sale of real and personal estate by sheriffs, mortgagees, trustees and others," was read second time and referred to the Committee on Judiciary.

Senate bill No. 214, entitled "An act to declare the meaning of the word 'vacation' in certain cases," was read second time and referred to the Committee on Judiciary.

Senators Allen and Jacobs were granted leave of absence for one day.

On third reading of Senate bills,

Substitute for Senate bill No. 104, entitled "An act to amend section 818, chapter 21, article 2, Revised Statutes, entitled 'Railroad companies,'" was taken up, read third time and passed by the following vote:

AYES—Senators Bryant, Byrns, Bland, Osbell, Cottey, Dobyns, Gottschalk, Headlee, Heard, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Morrisson, Naylor, Pehle, Perkins, Rogers, Stephens and Walker—28.

NOES—Senators Caldwell, Dungan, Heaston, Manring and Rouse—5.

ABSENT ON LEAVE—Senators Allen, Bradley, Edwards of Lafayette and Jacobs—4.

ABSENT—Senators DeArmond and Edwards of St. Charles—2.

The title of the bill was read and agreed to.

Senator Morrisson moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

On motion of Senator Morrisson the Senate went into executive session, at 11 o'clock A. M.

At 11:50 o'clock the Senate resumed its regular session, and was called to order by the President *pro tem*, Senator Morrisson.

Senator Cottey called up substitute for Senate bills Nos. 3, 4, 12, 15, 21, 32, 38, 54, 59, 79, 109, 127 and 131, being the special order, and moved that the Senate go into Committee of the Whole for the consideration of said bill; which was agreed to.

Senator Hutt in the chair.

The committee arose, and Senator reported progress and asked leave to sit again at 2 o'clock this P. M.; which was agreed to.

On motion of Senator Morrisson the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

The President in the chair.

On second reading of Senate bills,

Senate bill No. 188, entitled "An act to provide for locating and erecting a State reformatory school for juvenile offenders," was read second time and referred to the Committee on Criminal Jurisprudence.

Senate bill No. 189, entitled "An act to amend section 7433, article 1, chapter 162, Revised Statutes of Missouri, 1879, entitled Township elections," was read second time and referred to the Committee on Township Organization.

Senate bill No. 191, entitled "An act to establish a reform school for juvenile offenders," was read second time and referred to Committee on Criminal Jurisprudence.

Senate bill No. 193, entitled "An act for the better regulation of dramshops," was read second time and referred to Committee on Criminal Jurisprudence.

Senate bill No. 194, entitled "An act to provide for the better management of roads and highways, was read second time and referred to Committee on Roads and Highways.

Senate bill No. 195, entitled "An act to amend section 698, chapter 20, Revised Statutes, entitled 'Conveyances of real estate,'" was read second time and referred to Committee on Judiciary.

Senate bill No. 196, entitled "An act to amend section 2731, chapter 42, Revised Statutes of 1879, entitled 'Of judgments,'" was read second time and referred to Committee on Judiciary.

Senate bill No. 198, entitled "An act to provide for the collection and apportionment of taxes due under the provisions of the act 'To facilitate the construction of railroads in the State of Missouri,' approved March 23, 1868, was read second time and referred to Committee on Ways and Means.

Senate bill No. 199, entitled "An an act to regulate the practice of dentistry in the State of Missouri," was read second time and referred to Committee on Criminal Jurisprudence.

Senator Morrisson called up substitute for Senate bills Nos. 3, 4, 12, 15, 21, 32, 38, 54, 59, 79, 109, 127 and 131, and moved the Senate resolve itself into a Committee of the Whole for its consideration, which was agreed, Senator Hutt in the chair.

The committee arose, and the President called the Senate to order.

Senator Hutt, from the Committee of the Whole, reported progress and asked leave to sit again to morrow at 2 o'clock P. M., which leave was granted.

Senator Edwards of St. Charles submitted the following reports from the Committee on Engrossed Bills, which were read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 60, entitled "An act to authorize the issue and sale of renewal revenue bonds, for the purpose of meeting and redeeming outstanding revenue bonds falling due in the year 1881," beg leave to report that they have compared the same, and find it truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 203, entitled "An act in relation to criminal procedure in the city of St. Louis, and to repeal sections 18 and 19 of chapter 2 of the Appendix of the Revised Statutes of Missouri, concerning the criminal court," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 66, entitled "An act to amend section 7631, article 1, chapter 164, Revised Statutes, entitled "Treasury department," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 144, entitled "An act to aid the administration of the law in respect to jurors and witnesses," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 159, entitled "An act to amend section 4941, article 5, chapter 89 of the Revised Statutes of Missouri, relating to

'Cities of the fourth class,' beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 96, entitled "An act to appropriate money for the payment of the National Bank of Commerce of the City of New York, fiscal agent of the State, for the payment of bonds of the State and interest coupons as they fell due from the year 1872 to December 31st, 1880, beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 45, entitled "An act to provide and regulate an additional mode of punishment for crime," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 106, entitled "An act to amend section 2956, chapter 44 of the Revised Statutes of Missouri, entitled 'Of justices courts,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 116, entitled "An act to authorize counties having a past due indebtedness for the building of court houses and jails to refund the same and at a lower rate of interest," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 170, entitled "An act to amend section 1167, article 4, chapter 23, Revised Statutes of Missouri, title 'Of courts of record,' and providing for and fixing the times and places of holding circuit courts in the county of Wayne, in the twenty-third judicial circuit of the State of Missouri, and authorizing circuit courts within and for said county of Wayne to be holden therein at the City of Piedmont as well as at Greenville, the county seat of said county," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. RESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 111, entitled "An act to amend section 815,

article 2, chapter 21, Revised Statutes, concerning 'Discrimination allowed in the shipment of grain,' " beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 153, entitled "An act to amend sections 558 and 559, Revised Statutes, concerning 'Bills of lading and warehouse receipts,' " beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senate joint and concurrent resolution No. 16, entitled "Concurrent resolution submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof, concerning the judicial department;" was taken up, read second time and referred to the Committee on Constitutional Amendments.

On motion of Senator Morrisson, the Senate adjourned.

FORTY-FIFTH DAY—TUESDAY, March 1.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

Senator Mackay presented a memorial from Oakland Grange praying for a reduction of salaries of public officers; which was referred to the Committee on Ways and Means.

Senator Mackay presented a petition from citizens of Boone county Missouri, praying for a change in the revenue law; which was referred to the Committee on Ways and Means.

Senator Mackay presented a petition from the Good Templars of "Our Lodge" of Milan, Missouri, praying for a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors; which was referred to the Committee on Constitutional Amendments.

Senator Lloyd presented a memorial from the Jasper county medical society, praying for the passage of a law regulating the practice of medicine and creating a board of health, and providing for the registration of births and deaths; which was referred to Committee on Criminal Jurisprudence.

Senator Bland presented a memorial from the second Baptist Church at Liberty, Missouri, praying for a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors; which was referred to Committee on Constitutional Amendments.

Senator Byrns presented a memorial from the Richmond Temperance Association, praying for a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors; which was referred to the Committee on Constitutional Amendments.

Senator Dobyns presented three petitions from citizens of Shelby county, Missouri, praying for a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors in this State; which were referred to the Committee on Constitutional Amendments.

Senator Walker offered the following resolution, which was read first and second times and adopted:

Resolved, That the Committee on Accounts audit the account of the "Tribune Printing Co." for 50 copies per day of the "Tribune," containing official proceedings of the Senate, at four cents per copy.

Senator Rogers, from Committee on State Lands, introduced Senate bill No. 231, entitled "An act for the relief of George W. Arnold and George W. Fricke, and to appropriate money therefor;" which was read first time and ordered not printed.

Senator Rogers, from Committee on State Lands, introduced Senate bill No. 232, entitled "An act for the relief of Edward Price, and to appropriate money therefor;" which was read first time and ordered not printed.

Senator Mackay submitted the following report from the Committee on Retrenchment and Reform, which was read:

MR. PRESIDENT: Your Committee on Retrenchment and Reform, to whom was referred Senate bill No. 171, entitled "An act to amend section 5608, entitled 'Fees,' " beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 171, was taken up and ordered engrossed.

Senator Mackay submitted the following report from the Committee on Retrenchment and Reform :

MR. PRESIDENT: Your Committee on Retrenchment and Reform, to whom was referred Senate bill No. 125, entitled "An act fixing the pay of certain officers of the General Assembly," beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 125 was taken up and Senator Byrns offered the following amendment :

Amend by inserting at the end of the fifth line, original bill, "assistant engrossing clerks, not exceeding three;" which was read the first and second times.

Senator Heaston moved that the bill and amendment be indefinitely postponed.

The ayes and noes being demanded, the motion was lost by the following vote :

AYES—Senators Allen, Bland, Cabell, Caldwell, Cottey, Dobyns, Gottschalk, Heaston, Lloyd, McGrath, Manring, Pehle and Stephens—13.

NOES—Senators Bradley, Bryant, Byrns, DeArmond, Dungan, Edwards of St. Charles, Headlee, Heard, Hutt, Jacobs, McMahan, Mabrey, Mackay, Manistre, Morrisson, Naylor, Perkins, Rogers, Rouse and Walker—20.

ABSENT ON LEAVE—Senator Edwards of Lafayette.

The amendment was then agreed to.

Senator Heard offered the following amendment :

Prefix Sergeant-at-Arms and Doorkeeper of the Senate and House, which was agreed to.

Senator Dobyns offered the following amendment :

Amend section 1, in line four, by striking out the word "five," and inserting in lieu thereof the word "four;" which was read first and second times and, the ayes and noes being demanded, the amendment was agreed to by the following vote :

AYES—Senators Allen, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Gottschalk, Heaston, Hutt, Jacobs, Lloyd, Mabrey, Manring, Pehle and Stephens—17.

NOES—Senators Bradley, Bryant, Byrns, Headlee, Heard, McGrath, McMahan, Mackay, Manistre, Morrisson, Naylor, Perkins, Rogers, Rouse and Walker—15.

ABSENT ON LEAVE—Senator Edwards of Lafayette.

ABSENT—Senator Edwards of St. Charles.

Senator Cottey offered the following amendment :

Amend by adding to first section these words: "provided that la-

borers and other employes shall each receive \$2.50 per day when in the service of the Senate or House;" which was read the first and second times and agreed to by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dungan, Gottschalk, Headlee, Hutt, Libby, McGrath, McMahan, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Stephens and Walker—25.

NOES—Senators DeArmond, Dobyns, Heard, Heaston, Jacobs, Mabrey and Rouse—7.

ABSENT ON LEAVE—Senator Edwards of Lafayette.

ABSENT—Senator Edwards of St. Charles.

The bill and amendments were recommitted to the Committee on Retrenchment and Reform.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 241, entitled "An act to amend section 1547, article 8, Revised Statutes, relating to offenses against public morals and decency or the public police and miscellaneous offenses," beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment:

House bill No. 241 was taken up, and the following amendment, reported by the committee, read first and second times:

Amend by adding at the end of said section the following, "or by imprisonment in the county jail for a term not less than six nor more than twelve months."

The ayes and noes being demanded, the amendment was agreed to by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dungan, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackey, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—30.

NOES—Senators DeArmond, Dobyns and Heaston—3.

ABSENT ON LEAVE—Senator Edwards of Lafayette.

Senator Gottschalk offered the following amendment:

Amend by adding in fifth line, after the word "years," the following: "or by imprisonment in the county jail for a term not less than six nor more than twelve months;" which was read first and second times and agreed to.

Senator Heaston offered the following amendment:

Amend by prefixing to the section and after the enacting clause the following: "Section 1"—and also by inserting at the beginning of

line seven, printed bill, the following; "Section 1547;" which was read first and second times and agreed to.

The bill, as amended, was then read the third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—32.

ABSENT ON LEAVE—Senators Edwards of Lafayette and Edwards of St. Charles—2.

The title of the bill was agreed to.

Senator Gottschalk moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Substitute for Senate bill No. 92, being special order for to-day, was taken up.

On motion of Senator Manring, the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

The President *pro tem.*, Senator Morrisson, in the chair.

A quorum present.

Senator Cottey called up substitute for Senate bills Nos. 3, 4, 12, 15, 21, 32, 38, 54, 59, 79, 109, 127 and 131, and moved that the Senate resolve into Committee of the Whole for its consideration; which was agreed to; Senator Hutt in the chair.

The committee rose, and Senator Hutt reported progress, and asked leave to sit again at 11 o'clock to-morrow; which was granted.

Senator Edwards of St. Charles submitted the following reports from the Committee on Engrossed Bills, which were read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred substitute Senate bills Nos. 80, 86 and 88, entitled "An act to secure the adjustment and settlement of claims of the State of Missouri against the United States for enrolling, equipping and subsisting the militia forces thereof in suppressing the rebellion, and also claims of this State for five per cent. upon Government lands disposed of by the United States, which have not heretofore been adjusted," beg leave

to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 155, entitled "An act to amend section 295, of article 14, of chapter 1, of the Revised Statutes of Missouri, relating to 'Appeals in administration,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 163, entitled "An act to amend section 7457, article 5, chapter 162 of the Revised Statutes of Missouri, 'Of Township organization,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 168, entitled "An act in relation to the service of notices by notaries public," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 156, entitled "An act to repeal section 116, article 6, chapter 1, Revised Statutes, in relation to sales of personal property, in administration, and enacting in lieu thereof a new section," beg leave to report that they have compared the same and find it truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 200, entitled "An act to amend sections 2724 and 2727, chapter 41 of the Revised Statutes of Missouri, entitled 'Of interest,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Rogers submitted the following report from the Committee on State Lands, which was read :

MR. PRESIDENT: Your Committee on State Lands, to whom was referred a communication from the State Auditor, concerning the erroneous sales of certain tracts of land by the State of Missouri to George W. Arnold, George W. Fricke and Edward Price, beg leave to report that they have examined the records in the office of the register of lands, and find the facts as set forth in the letter of the auditor to be

correct, and have introduced bills for the relief of the parties therein named, as provided in section 6110 of the Revised Statutes.

Senator Rogers introduced Senate bill No. 233, entitled "An act to authorize the register of lands to issue corrected patents for lands known as the five hundred thousand acre grant, township school lands, and swamp lands;" which was read first time and 50 copies ordered printed.

Senator Manring submitted the following report from the Committee on Township Organization :

MR. PRESIDENT: Your Committee on Township Organization, to whom was referred Senate bill No. 189, entitled "An act to amend section 7433, article 1, chapter 162, Revised Statutes, entitled 'Township elections,'" beg leave to report that they have considered the same and recommend that it do pass.

Senate bill No. 189 was taken up and ordered engrossed.

Senator Stephens ordered the following report from the Committee on State University, which was read and 300 copies ordered printed :

MR. PRESIDENT: Your Committee on State University, in discharge of the duties devolving upon them, recently visited the University, and respectfully submit the following report :

First—On examination of the receipts and expenditures of the Board of Curators for the years 1879 and 1880, we find the same to be correct and in accord with their report made to this body. We also made an examination into the present status of the University with reference to the estimate of expenditures furnished by the board for the years 1881 and 1882, in order that we might obtain such information as would enable this body to make the necessary appropriations for its support. We found that the support and maintenance of the University during the last two fiscal years cost \$81.25 less than the amount it had at its control.

Considering the various departments required to be supported, the many contingencies that must be constantly arising, the rapid increase of attendance, and the further fact that the amount expended exceeds \$100,000.00, this small balance shows more clearly than any details that we can give the rigid economy of the conduct of the institution and the carefulness of the board in making their estimates.

Second—In regard to the appropriation necessary for its support and maintenance during the coming two years, we would call attention to the fact that the necessary current expenses of the institution, exclusive of salaries, for some two years past, so far as the committee

have been able to ascertain the facts, has been in the aggregate about \$10,000.00 a year.

This is about twenty per cent. of the entire expense of the institution, a smaller per cent. than can be shown by any public university or college in our country known to us, with perhaps one or two exceptions.

The average number of students now taught by each professor, is very much larger than it ought to be, so large in fact that in some of its branches classes are instructed under such disadvantages as to cause very considerable loss in the value of instruction to the pupils. In justice to both, the teacher and the taught, we could not suggest any diminution, either of the number of instructors, or in the amount estimated by the board as necessary to pay them, but consider the amount of their estimate absolutely necessary for the proper conduct of the institution.

Third—The crowded state of the recitation rooms is one of the gravest troubles now confronting our University. The evil is radical, and if not removed the University has reached the full limit of its capacity. To crowd more students together in its class rooms would be indefensible. In view of the importance of having more room, the committee would respectfully recommend that an appropriation be made for the extension of the University Hall, and the University building proper be put thoroughly in repair and enlarged.

The committees of the two previous General Assemblies, have made the same recommendations, but in view of the rapid increase in college attendance, we believe further delay will cause an injury to that institution which it will take the efforts of years to repair.

The institution is working up to the full measure of its opportunities and appliances, the faculty are working together in harmony, the reputation of the president has already transcended the limits of his own State, and the same might be said of some of the professors. The morale of the students is good, and their devotion to the institution and its honored president and his able corps of assistants is honorable to both.

In conclusion, we would say, that we believe, if the University is put in a position to do thorough, healthful, honest work, for all the young men and women who may desire to take advantage of the opportunities which she may offer, in a very few years Missouri will have an institution of which the State will be proud, and no Missouri boy or girl will be beholden to the munificence of another State for the ad-

vantages of an education which his own, and perhaps wealthier State could not afford him.

J. L. STEPHENS,
JAMES H. WALKER,
T. V. BRYANT,
H. L. ROGERS,
ANDREW MACKAY.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 167, entitled "An act concerning the liability of cities, towns and persons for damages to persons or property caused by riots," beg leave to report that they have considered the same, and recommend that the accompanying substitute do pass.

Senate bill No. 167 not being called for, the substitute reported by the committee was taken up, read first and second times, adopted, and ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 188, entitled "An act to amend section 2580, chapter 37, Revised Statutes, entitled 'Guardians and curators,'" beg leave to report that they have considered the same, and recommend that it do pass.

House bill No. 188 was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Ootey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker
—33.

NO—Senator Hutt.

The title of the bill was read and agreed to.

Senator Caldwell moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator DeArmond submitted the following report from Committee on Judiciary; which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 199, entitled "An act to amend section seventy-

five (75), Revised Statutes, relating to administration," beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment.

House bill No. 199 was taken up, and the following amendment reported by the committee agreed to :

Amend by inserting the word "wrongfully" between the words "otherwise" and "withholding," where they occur in the bill.

The bill was then read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manning, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—34.

The title of the bill was read and agreed to.

Senator Dobyns moved to reconsider the vote by which the bill passed and lay the motion to reconsider on the table ; the latter motion prevailed.

Senator Dobyns submitted the following report from the Committee on Constitutional Amendments :

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate concurrent resolution No. 16, entitled "Concurrent resolution submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof concerning the judicial department," beg leave to report that they have considered the same, and recommend that it do pass.

Senate joint and concurrent resolution No. 16 was taken up, and ordered engrossed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 207, entitled "An act for the relief of Hazelton J. Skinner, and to appropriate money therefor," beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 207 was taken up, and ordered engrossed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 183, entitled "An act to amend section 1854, article 17, chapter 24, Revised Statutes, entitled 'Of

crimes and criminal procedure," beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 183 was taken up, and ordered engrossed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate Bill No. 176, entitled "An act to regulate the sale of vinegar in this State," beg leave to report that they have considered the same, and recommend that it do pass.

Senate Bill No. 176 was taken up and ordered engrossed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate Bill No. 206, entitled "An act for the relief of Thomas J. Barker, and to appropriate money therefor," beg leave to report that they have considered the same, and recommend that it do not pass.

Senate Bill No. 206, on motion of Senator Rouse, was laid over informally.

Senate Bill No. 113, entitled "An act to amend sections 3486, 3487, 3488 and 3489, article 4, chapter 59, Revised Statutes, entitled 'Of practice in civil cases,'" was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bland, Caldwell, Cottey, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heaston, Lloyd, Mabrey, Manistre, Manring, Pehle, Rogers, Rouse and Stephens—18.

NOES—Senators Bryant, Byrns, DeArmond, Dobyons, Edwards of St. Charles, Heard, Hutt, McMahan, Mackey, Morrison, Perkins and Walker—12.

ABSENT—Senators Cabell, Jacobs, McGrath and Naylor—4.

The title of the bill was read and agreed to.

Senator Rouse moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table. The latter motion prevailed.

Senator Rouse called up Senate Bill No. 117, entitled "An act to amend section 3514, article 5, chapter 59, Revised Statutes, entitled 'Of practice in civil cases,'" which was read third time and passed by the following vote :

AYES—Senators Allen, Bland, Cabell, Caldwell, Cottey, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heaston, Jacobs, Lloyd, Mabrey, Manistre, Manring, Pehle, Rogers, Rouse and Stephens—19.

NOES—Senators Bryant, Byrns, DeArmond, Dobyns, Edwards of St. Charles, Heard, Hutt, McMahan, Mackey, Morrison, Perkins and Walker—12.

ABSENT—Senators Bradley, McGrath and Naylor—3.

The title of the bill was read and agreed to.

Senator Rouse moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table. The latter motion prevailed.

Senator Heaston called up Substitute for Senate Bills Nos. 80, 86 and 88, entitled "An act to secure the adjustment and settlement of claims of the State of Missouri against the United States for enrolling, equipping and subsisting the militia forces thereof in suppressing the rebellion, and also claims of this state for five per cent. upon government lands disposed of by the United States, which have not heretofore been adjusted," which was read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackey, Manistre, Manring, Morrison, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—30.

NOES—Senators Allen, DeArmond, Gottschalk and Headlee—4.

The title of the bill was read and agreed to.

Senator Cabell moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table. The latter motion prevailed.

Senator Cabell called up Senate Bill No. 133, entitled "An act to provide for the registration of all voters in cities having a population of more than one hundred thousand inhabitants, and to govern elections in such cities, and to repeal an act entitled 'An act to provide for the exercise of the right of voting by persons who have failed to register,' approved March 30, 1877, and all acts and parts of acts conflicting herewith," which was read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Edwards of St. Charles, Headlee, Heard, Heaston, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackey, Morrison, Naylor, Perkins, Rouse, Stephens and Walker—25.

NOES—Senators Allen, Caldwell, Dungan, Gottschalk, Jacobs, Manistre, Manring, Pehle and Rogers—9.

The emergency clause of said bill failed to pass by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Cottey, Dobyms, Edwards of Lafayette, Edwards of St. Charles, Headlee, Heard, Heaston, Hutt, McGrath, McMahan, Mackey, Morrison, Naylor, Perkins, Rouse and Walker—21.

NOES—Senators Allen, Caldwell, DeArmond, Dungan, Gottschalk, Jacobs, Lloyd, Mabrey, Manistre, Manring, Pehle, Rogers and Stephens—13.

The title of the bill was read and agreed to.

Senator Caldwell moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table. The latter motion prevailed.

On motion of Senator Allen the Senate adjourned.

FORTY-SIXTH DAY—WEDNESDAY, March 2.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

On motion of Senator Morrison the Chaplain, Rev. W. A. Masker, was granted leave of absence.

Senator Bradley submitted the following reports from the Committee on Enrolled Bills :

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate Bill No. 57, entitled "An act to amend sections 5371, 5372 and 5407, article 4, chapter 95, Revised Statutes, entitled 'Of counties.'"

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate Bill No. 6, entitled "An act requiring the Governor to appoint a special committee of the General Assembly to visit and examine the institutions of the State,"

The President announced that all other business would be suspended and directed the Secretary to read at length the following named bills, to-wit: Senate Bill No. 57, entitled "An act to amend sections 5371, 5372 and 5407, article 4, chapter 95 of the Revised Statutes of Missouri, entitled 'Of counties,'" and Senate Bill No. 6, entitled "An act requiring the Governor to appoint a special committee of the General Assembly to visit and examine the institutions of the State," and stated that unless objections be made, he would sign said bills to the end that each may become a law.

No objections being made, Senate Bill No. 57 was read at length by the Secretary; and the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto; said bill was also signed by the Secretary. No objections being made, Senate Bill No. 6 was read at length by the Secretary, and the presiding officer, in the presence of the Senate, no other business intervening, affixed his signature thereto; said bill was also signed by the Secretary; and after being signed by the Speaker of the House of Representatives, said bills were this day presented by the Secretary to the Governor for his approval.

The following message was received from the House of Representatives through Mr. Hawley, Chief Clerk:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed House Bill No. 514, entitled "An act relating to benevolent and charitable associations and societies:"

Also, House Bill No. 194, entitled "An act to amend section 862, article 4, chapter 21, Revised Statutes of 1879, entitled 'Macadamized, graded and plank road companies:'"

Also, Substitute for House Joint and Concurrent Resolution No. 254, fixing the day of adjournment of the 31st General Assembly of Missouri, in which the concurrence of the Senate is respectfully requested.

The Senate resumed consideration of Senate Bill No. 92, entitled "An act to enable insurance companies, other than life insurance companies, to surrender their special charters and accept in lieu thereof the provisions of the general insurance statutes."

Senator Heard moved to reconsider the motion by which the bill was ordered engrossed, which was agreed to.

On motion of Senator Dobyns, the bill was recommitted to the Committee on Insurance.

Senator Morrisson submitted the following report from the Committee on Education :

MR. PRESIDENT: Your Committee on Education to whom was referred Senate bill No. 145, entitled "An act to provide for the selection of a uniform system of text books for the use of the public schools of the State, and to regulate and control the introduction and sale of the same," beg leave to report that they have considered the same and recommend that it do pass.

Senate bill No. 145 was taken up and ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary :

MR. PRESIDENT: Your Committee on Judiciary to whom was referred Senate bill No. 162, entitled "An act in relation to set-off," beg leave to report that they have considered the same and recommend that it do pass with the accompanying amendments.

Senate bill No. 162 was taken up and the following amendments, reported by the committee, were read and agreed to :

Amend by inserting after "allowed," in second line, printed bill, the words "any corporation or company," and by inserting in seventh line printed bill, after the word "issued," the following: "by any corporation or company."

Amend by striking out all of section 2.

The bill as amended was ordered engrossed.

Senator Mackay submitted the following report from the Committee on Retrenchment and Reform :

MR. PRESIDENT: Your Committee on Retrenchment and Reform to whom was referred Senate bill No. 184, entitled "An act to amend sections 5853 and 5868, article two, chapter 117, Revised Statutes, entitled 'Of inspection,'" beg leave to report that they have considered the same, and report the same back without recommendation.

Senate bill No. 184 was taken up and ordered engrossed.

Senator Headlee called up Senate bill No. 50, entitled "An act to appropriate money and provide for the payment of the claim of the Rolla board of education," which was ordered engrossed.

Senator Mackay submitted the following report from the Committee on Retrenchment and Reform :

MR. PRESIDENT: Your Committee on Retrenchment and Reform to whom was referred Senate bill No. 125, entitled "An act fixing the pay of certain officers of the General Assembly," beg leave to report that they have considered the same, and recommend that the accompanying substitute do pass.

Substitute for Senate bill No. 125 was taken up, read and ordered printed.

Senator Morrisson submitted the following report from the Committee on Education :

MR. PRESIDENT: Your Committee on Education to whom was referred House bill No. 102, entitled "An act to amend section seven thousand one hundred and three, article one, chapter one hundred and fifty, Revised Statutes, 1879, entitled 'Schools,'" in relation to county school funds, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendments.

The bill so reported, was taken up with the amendment reported by the Committee, and pending consideration, on motion of Senator Edwards of Lafayette, the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

The President *pro tem.* Senator Morrisson in the chair.

A quorum present.

Senator Byrns called up Senate bill No. 203, entitled "An act in relation to criminal procedure in the city of St. Louis, and to repeal sections 18 and 19 of chapter 2 of the Appendix of the Revised Statutes of Missouri, concerning 'The criminal court,'" which was read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—31.

ABSENT—Senators Edwards of St. Charles, Headlee and McMahan—3.

The emergency clause of said bill was read and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—32.

ABSENT—Senators Edwards of St. Charles and McMahan—2.

The title of the bill was read and agreed to.

Senator Byrns moved to reconsider the vote by which the bill

passed and to lay the motion to reconsider on the table. The latter motion prevailed.

Senator DeArmond submitted the following report from the Committee on Judiciary :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 126, entitled "An act to amend section 3660, article 7, chapter 59, Revised Statutes of Missouri, entitled 'Of practice in civil cases,'" beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 126 was taken up and ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary :

MR. PRESIDENT: Your Committee on Judiciary to whom was referred Senate bill No. 195, entitled "An act to amend section 698, chapter 20, Revised Statutes, entitled 'Of conveyances of real estate,'" beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment.

Senate bill No. 195 was taken up and the following amendment, reported by the committee, agreed to :

Amend by striking out the words "or in anywise affected," wherever they occur in the bill.

The bill as amended ordered engrossed.

Senator McGrath called up Senate bill No. 144, entitled "An act to aid the administration of the law in respect to jurors and witnesses;" which was read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cotter, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottscholk, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins Rogers, Rouse, Stephens and Walker—31.

ABSENT—Senators Edwards of St. Charles, Headlee and Heard—3.

The title of the bill was read and agreed to.

Senator Gottschalk moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 186, entitled "An act concerning the transportation of nitro-glycerine and other combustible and explosive articles," beg leave to report that they have considered the

same, and recommend that it do pass with the accompanying amendment.

Senate bill No. 186 was taken up and the following amendment, reported by the committee, was agreed to :

Amend section 3 by striking out of said section all after the word "dollars," and insert in lieu thereof the following: "or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment."

The bill, as amended, was ordered engrossed:

Senator Heaston submitted the following report from the Committee on Ways and Means:

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 94, entitled "An act to amend section 6334, chapter 129, Revised Statutes, entitled 'Of merchants licenses,' " beg leave to report that they have considered the same, and report it back without recommendation.

Senate bill No. 94 was taken up and ordered engrossed.

Senator McMahan submitted the following report from the Committee on Agriculture, which was read :

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate bill No. 141, entitled "An act restraining stock from running at large in this State," beg leave to report that they have considered the same, and report it back without recommendation.

Senate bill No. 141 was taken up and ordered engrossed.

Senator Morrisson submitted the following report from the Committee on Education, which was read :

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate bill No. 161, entitled "An act to provide for the disposal of the Agricultural lands in this State," beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 161, was taken up and laid over informally.

Senator Morrisson submitted the following report from the Committee on Education :

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate bill No. 84, entitled "An act to consolidate the permanent school fund and the seminary fund in certificates of indebtedness of the State bearing six per cent interest, and to provide for canceling the State bonds and certificates of indebtedness now held by the State in trust for said funds," beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment.

Senate bill No. 84 was taken up and the following amendment, reported by the committee, was read and agreed to:

Amend by inserting after the word "Missouri," in the fourth line, original bill, the words, "payable thirty years after date, and"—

The bill, as amended, was ordered engrossed.

On second reading of Senate bills, Senate Joint and concurrent resolution No. 12, entitled "Senate joint and concurrent resolution in relation to the absence of members," was read second time and referred to Committee on Retrenchment and Reform.

Senate joint and concurrent resolution No. 13, entitled "Joint and concurrent resolution providing for furnishing township clerks with the Statutes and session acts of the General Assembly," was read second time and referred to Committee on Township Organization.

Senate joint and concurrent resolution No. 14, entitled "Joint and concurrent resolution urging Congress to provide for a survey and preparation of sectional and schedule maps of the swamp and overflowed lands in Southeast and Northeastern Arkansas," was read second time and referred to Committee on Swamp Lands.

Senate bill No. 205, entitled "An act to amend section 7195 of chapter 152 of the Revised Statutes of 1879, in relation to shows and circuses," was read second time and referred to Committee on Criminal Jurisprudence.

Senate bill No. 208, entitled "An act relating to the publication and distribution of 'Hunt's Minutes,'" was read second time and referred to Committee on Judiciary.

Senate bill No. 210, entitled "An act to repeal section 3 of 'an act concerning street railroads in the city of St. Louis,' approved January 16, 1860," was read second time and referred to Committee on Internal Improvements.

Senate bill No. 216, entitled "An act to prohibit corporations that operate parallel and competing lines of railroads from consolidating, and to prohibit the officers of the one from being the officers of the other," was read second time and referred to Committee on Internal Improvements.

Senate bill No. 218, entitled "An act to amend section 1486 of article 6 of chapter 24 of the Revised Statutes of Missouri, concerning crimes and criminal procedure," was read second time and referred to Committee on Criminal Jurisprudence.

Senate bill No. 223, entitled "An act to amend section 24, article 6, Revised Statutes, in relation to exacting illegal fees," was read second time and referred to Committee on Criminal Jurisprudence.

Senate bill No. 224, entitled "An act to amend section 5617, chapter 103, Revised Statutes, entitled 'Of fees,'" was read second time and referred to Committee on Retrenchment and Reform.

Senate bill No. 229, entitled "An act to amend section 2710, chapter 40, Revised Statutes, entitled 'Of injunctions,'" was read second time and referred to Committee on Judiciary.

Senate bill No. 227, entitled "An act to amend section 5607, chapter 103, Revised Statutes, entitled 'Of fees,'" was read second time and referred to Committee on Criminal Jurisprudence.

Senate bill No. 230, entitled "An act to amend section 6938, chapter 147, Revised Statutes of Missouri, entitled 'Of roads and highways,'" was read second time and referred to Committee on Roads and Highways.

Senate bill No. 231, entitled "An act for the relief of George W. Arnold and George W. Fricke, and to appropriate money therefor," was read second time and referred to Committee on Ways and Means.

Senate bill No. 232, entitled "An act for the relief of Edward Price and to appropriate money therefor," was read second time and referred to Committee on Ways and Means.

Senator Bryant introduced Senate bill No. 234, entitled "An act making an appropriation for the enlargement of the main edifice of the University of the State of Missouri, at Columbia," which was read first time and 50 copies ordered printed.

Senator Jacobs introduced "Senate joint and concurrent resolution No. 17, instructing our Senators and requesting our Representatives in Congress to use all means in their representative capacity to secure the appropriation of \$25,000.00 for the purpose of improving Grand River and reclaiming the swamp lands lying along said river;" which was read first time and 50 copies ordered printed.

On third reading of Senate bills, Senate bill No. 45, entitled "An act to provide and regulate an additional mode of punishment for crime," was taken up, read third time and passed by the following vote:

AYES—Senators, Bradley, Byrns, Bland, DeArmond, Edwards of Lafayette, Headlee, McGrath, Mackay, Manring, Pehle and Walker—11.

NOES—Senators Allen, Bryant, Cabell, Caldwell, Cottey, Dobyns, Dungan, Edwards of St. Charles, Gottschalk, Heard, Heaston, Hutt,

Jabobs, Lloyd, McMahan, Mabrey, Manistre, Morrison, Naylor, Perkins, Rogers, Rouse and Stephens—23.

Senator DeArmond moved that when the Senate adjourn, it adjourn until 7½ o'clock to night; which was agreed to.

Senator Morrisson moved to reconsider the vote by which substitute for Senate bill No. 125 was ordered printed; which was agreed to.

The substitute was then read first and second times and adopted, and the bill ordered engrossed.

Senator Edwards of St. Charles, from the Committee on Engrossed Bills, submitted the following reports, which were read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 165, entitled "An act to amend section 1715, article 12, chapter 24, Revised Statutes, entitled 'Surety to keep the peace,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 157, entitled "An act to amend section 5824, chapter 116, Revised Statutes, relating to insane persons," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 168, entitled "An act to amend section 7469, article 7, chapter 162, Revised Statutes, 1879, entitled, 'Of township trustees and their duties,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 147, entitled "An act to provide for the submission of constitutional amendments to a vote of the people," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 149, entitled an act to amend section five thousand four hundred and sixty-seven (5467), chapter ninety-eight (98), Revised Statutes, 'Of dramshops,'" beg leave to report that they have

compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 204, entitled "An act to exempt the husband from the payment of debts of the wife contracted before marriage," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 174, entitled "An act in relation to appeal bonds and recognizances," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 164, entitled "An act to amend section 1158, article 4, chapter 3, of the Revised Statutes of Missouri, 'Of courts of record,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 23, entitled "An act to amend section 145, article 8, chapter 1 of the Revised Statutes of Missouri, entitled 'Redemption, sale and conveyance of real estate,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 166, entitled "An act to amend section 3091, chapter 45 Revised Statutes, entitled 'Of landlords and tenants,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 103, entitled "An act to regulate practice in the Supreme Court, and to aid in disposing of cases pending in said court," beg leave to report that they have compared the same, and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

On motion of Senator Allen, the Senate adjourned until 7:30 o'clock.

EVENING SESSION.

Senate met pursuant to recess taken.

Senator Morrisson in the chair.

A quorum present.

On motion of Senator Cottey, the Senate went into Committee of the Whole for consideration of substitute for Senate bills Nos. 3, 4, 12, 15, 21, 32, 38, 54, 59, 79, 109, 127 and 131, Senator Hutt in the chair.

The committee rose.

Senator Morrisson called the Senate to order.

Senator Hutt, from Committee on the Whole, reported progress, and asked leave to sit again to-morrow morning at 11 o'clock, which was granted.

Senator Lloyd introduced Senate bill No. 235, entitled "An act for the relief of Patrick H. Edwards, formerly judge of the 14th judicial circuit of the State of Missouri, and to appropriate money therefor;" which was read first time and ordered not printed.

On motion of Senator Edwards of Lafayette, the Senate adjourned until to-morrow morning at ten o'clock.

FORTY-SEVENTH DAY—THURSDAY, March 3.

MORNING SESSION.

The Senate met pursuant to adjournment.

President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

On third reading of Senate bills,
Senate bill No. 60, entitled "An act to authorize the issue and sale

of renewal revenue bonds for the purpose of meeting and redeeming outstanding revenue bonds falling due in the year 1881," was taken up, read third time and passed by the following vote :

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Perkins, Rogers, Rouse and Walker—28.

NOES—Senators Allen, Dungan and Pehle—3.

ABSENT—Senators Bryant and Stephens—2.

ABSENT ON LEAVE—Senator Edwards of St. Charles.

The emergency clause of said bill passed by the follow vote :

AYES—Senators Bradley, Byrns, Bland, Caldwell, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—29.

NOES—Senators Allen and Dungan—2.

ABSENT—Senators Bryant and Cabell—2.

ABSENT ON LEAVE—Senator Edwards of St. Charles.

Title of the bill was read and agreed to.

Senator Morrisson moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table. The latter motion prevailed.

The following message was received from the Governor through Mr. Farr, his Private Secretary :

SIR : I return to the Senate, with my approval endorsed thereon, bills of the following titles :

"An act to amend section 5371, 5372 and 5407, article 4, chapter 95, of the Revised Statutes of Missouri, entitled 'Of counties;'" and "An act requiring the Governor to appoint a special committee of the General Assembly to visit and examine the institutions of the State."

Very respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, President of the Senate.

The following message was received from the House of Representatives through Mr. Hawley, Chief Clerk :

MR. PRESIDENT : I am instructed by the House to inform the Senate that the House has taken up and passed substitute for House bill No. 291, entitled "An act to amend section 7529, chapter 162, article 12,

Revised Statutes, entitled 'Of township organization,' relating to compensation of assessors:"

House bill No. 421, entitled "An act to make trustees' and mortgagees' deeds evidence:"

House bill No. 402, entitled "An act to provide for the registration and payment of State warrants:"

House bill No. 400, entitled "An act to amend section 4145, chapter 77, Revised Statutes, 'Of asylums:'. "

House bill No. 285, entitled "An act to amend sections 4937 and 4938, Revised Statutes, 'Of cities of the fourth class,' " with the emergency clause thereto attached—in which the concurrence of the Senate is respectfully requested.

Senate bill No. 66, entitled "An act to amend section 7631, article 1 of chapter 164 of the Revised Statutes, entitled 'Treasury department;'" was taken up, read third time and failed to pass by the following vote:

AYES—Senators Bradley, Byrns, Cabell, Cottey, Dobyns, Heard, Heaston, Hutt, Jacobs, McGrath, McMahan, Morrisson, Naylor, Rogers, Stephens and Walker—16.

NOES—Senators Allen, Bland, Caldwell, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Lloyd, Mackay, Manistre, Manring, Pehle, Perkins and Rouse—16.

ABSENT—Senators Bryant and Mabrey—2.

Substitute for Senate bill No. 96, entitled "An act to appropriate money for the payment of the National Bank of Commerce of the City of New York, fiscal agent of the State, for the payment of bonds of the State, and interest coupons as they fell due, from the year 1872 to December 31, 1880;" was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Heaston, Hutt, Jacobs, McGrath, McMahan, Mackay, Morrisson, Naylor, Perkins, Rogers, Stephens and Walker—23.

NOES—Senators Allen, DeArmond, Dobyns, Dungan, Headlee, Lloyd, Mabrey, Manistre, Manring, Pehle and Rouse—11.

The emergency clause passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, McGrath, McMahan, Mackey, Morrisson, Naylor, Perkins, Rogers, Stephens and Walker—24.

NOES—Senators Allen, DeArmond, Dobyns, Dungan, Lloyd, Mabrey, Manistre, Manring, Pehle and Rouse—10.

The title of the bill was read and agreed to.

Senator Edwards of St. Charles moved to reconsider the vote by which the bill passed, and Senator Cottey moved to lay the motion to reconsider on the table.

The ayes and noes being demanded, the latter motion prevailed by the following vote :

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Cottey, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, McGrath, McMahan, Mackey, Morrisson, Naylor, Perkins, Rogers and Walker—21.

NOES—Senators Allen, Caldwell, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Lloyd, Mabrey, Manistre, Manring, Pehle and Rouse—12.

ABSENT—Senator Stephens.

On motion of Senator Bradley, the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Senator Lloyd introduced Senate bill No. 237, entitled "An act relating to towns and cities exercising their municipal authority under special charters ;" which was read first time and ordered not printed.

Senator Morrisson introduced Senate bill No. 236, entitled "An act to amend section 7631, article 1, chapter 164, Revised Statutes, entitled 'Treasury department;'" which was read first time and ordered not printed.

Senator Dobyns introduced Senate bill No. 238, entitled "An act to amend sections 2025 and 2026, article 23, chapter 24, Revised Statutes, entitled 'Proceedings before justices in misdemeanors ;'" which was read first time and ordered not printed.

Senator Cottey offered the following amendment to the standing rules ; which was read and laid over under the rules :

Resolved, That rule 43 be amended as follows :

Amend rule 43 by inserting between the words "question" and "without," in line two, these words : "nor longer than ten minutes," and by inserting between the words "reply" and "but," in line four,

these words: "not longer than five minutes;" so that said rule, as amended, shall read as follows:

Rule 43. No member shall speak more than once to the same question, nor longer than ten minutes, without leave of the Senate, unless he be the mover, proposer or introducer of the matter pending, in which case he shall be permitted to speak in reply, not longer than five minutes, but not until every member choosing to speak shall have spoken.

On third reading of Senate bill No. 106, entitled "An act to amend section 2956, chapter 44 of the Revised Statutes of Missouri, entitled 'Of justices' courts,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, Mabrey, Mackey, Manring, Morrison, Naylor, Pehle, Perkins, Stephens and Walker—27.

ABSENT—Senators Bradley, Edwards of St. Charles, Gottschalk, McMahan, Manistre, Rogers and Rouse—7.

The title of the bill was then read and agreed to.

Senator Dobyns moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 111, entitled "An act to amend section 815 of article two (2), chapter twenty-one (21), Revised Statutes of Missouri, concerning discrimination allowed in the shipment of grain;" was taken up read third time and passed by the following vote:

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Heard, Hutt, Jacobs, Lloyd, McGrath, Mabrey, Mackay, Manistre, Morrison, Naylor, Stephens and Walker—24.

NOES—Senators Headlee, Heaston, Manring, Pehle and Perkins—5.

ABSENT—Senators Bradley, Edwards of St. Charles, McMahan, Rogers and Rouse—5.

The title of the bill was read and agreed to.

Senator Jacobs moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 116, entitled "An act to authorize counties having a past indebtedness for the building of court houses and jails, to re-

fund the same and at a lower rate of interest;" was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dungan, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Stephens and Walker—26.

NOES—Senators DeArmond, Dobyns and Edwards of Lafayette—3.

ABSENT—Senators McGrath, McMahan, Rogers and Rouse—4.

ABSENT ON LEAVE—Senator Edwards of St. Charles.

The emergency clause of said bill was passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dungan, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Stephens and Walker—28.

NOES—Senators Dobyns, Edwards of Lafayette and Lloyd—3.

ABSENT—Senators DeArmond, Rogers and Rouse—3.

The title of the bill was read and agreed to.

Senator Mabrey moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table. The latter motion prevailed.

Senate bill No. 153, entitled "An act to amend sections 558 and 559 of chapter 11 of the Revised Statutes of Missouri, concerning bills of lading and warehouse receipts," was taken up read third time and passed by the following vote :

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Heard, Hutt, Jacobs, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Perkins, Rogers, Stephens and Walker—27.

NOES—Senators Allen, Heaston, Lloyd and Pehle—4.

ABSENT—Senators Edwards of St. Charles, Headlee and Rouse—3.

Title of the bill was read and agreed to.

Senator Naylor moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 159, entitled "An act to amend section 4941, article 5 of chapter 89 of the Revised Statutes of Missouri, relating to cities of the fourth class;" was taken up read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Byrns, Bland, Cabell, Caldwell,

Cottey, DeArmond, Dobyys, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, Mabrey, Mackay, Manistre, Manring, Naylor, Pehle, Perkins, Rogers, Stephens and Walker—30.

NO—Senator McMahan.

ABSENT—Senators Bryant, Morrisson and Rouse—3.

The title of the bill was read and agreed to.

Senator Dobyys moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table. The latter motion prevailed.

Senate bill No. 156, entitled "An act. to repeal section 116, article 6, chapter 1 of the Revised Statutes of the State of Missouri, in relation to sales of personal property in administration, and enacting in lieu thereof a new section," was taken up read third time and passed by the following vote :

AYES—Senators Allen, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyys, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—29.

ABSENT—Senators Bradley, Bryant, Edwards of St. Charles, Manistre and Manring—5.

The title of the bill was read and agreed to.

Senator Walker moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 158, entitled "An act in relation to the service of notices by notaries public," was taken up read third time and passed by the following vote :

AYES—Senators Bradley, Bryant, Byrns, Cabell, Caldwell, Cottey, Edwards of St. Charles, Heard, Hutt, Lloyd, McGrath, McMahan, Mabrey, Manring, Morrisson, Naylor, Perkins, Rogers, Stephens and Walker—20.

NOES—Senators Allen, Bland, DeArmond, Dobyys, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heaston, Jacobs, Mackay, Manistre, Pehle and Rouse—14.

The title of the bill was read and agreed to.

Senator Naylor moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 163, entitled "An act to amend section 7457, article 5, chapter 162 of the Revised Statutes of Missouri, 'Of township organi-

zation,'” was taken up read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—34.

The title of the bill was read and agreed to.

Senator Rogers moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 155, entitled “An act to amend section 295, article 14, chapter 1 of the Revised Statutes of Missouri, relating to appeals in administration,” was taken up read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackey, Manistre, Manring, Morrisson, Perkins, Rogers, Rouse, Stephens and Walker—31.

ABSENT—Senators Byrns, Naylor and Pehle—3.

Title of the bill was read and agreed to.

Senator Walker moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 200, entitled “An act to amend sections 2724 and 2727, chapter 41 of the Revised Statutes of Missouri, entitled ‘Of interest,’” was taken up read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Caldwell, Cottey, DeArmond, Dobyns, Edwards of St. Charles, Heard, Hutt, McMahan, Mabrey, Mackay, Manring, Morrisson, Pehle, Rouse, Stephens and Walker—18.

NOES—Senators Bryant, Bland, Cabell, Dungan, Edwards of Lafayette, Gottschalk, Heaston, Hutt, Jacobs, McGrath, Manistre, Perkins and Rogers—13.

ABSENT—Senators Byrns, Headlee and Lloyd—3.

Senator Allen moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table.

The ayes and nays being demanded, the motion to reconsider prevailed by the following vote :

AYES—Senators Allen, Bland, Cabell, Caldwell, DeArmond,

Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heaston, Hutt, Jacobs, Lloyd, McGrath, Manistre, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—23.

NOES—Senators Bradley, Byrns, Bryant, Cottey, Dobyns, Heard, McMahan, Mabrey, Mackay and Manring—10.

ABSENT—Senator Headlee.

The question then being upon the passage of the bill, it failed to pass by the following vote :

AYES—Senators Bradley, Caldwell, Cottey, DeArmond, Dobyns, Edwards of St. Charles, Heard, Hutt, McMahan, Mabrey, Mackay, Manring, Morrisson, Pehle, Rouse, Stephens and Walker—17.

NOES—Senators Allen, Bryant, Byrns, Bland, Cabell, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heaston, Jacobs, Lloyd, McGrath, Manistre, Naylor, Perkins and Rogers—17.

Senate bill No. 23 was taken up and laid over informally.

Senate bill No. 168, entitled "An act to amend section 7469, article 7 of chapter 162 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of township trustees and their duties,'" was taken up read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—32.

ABSENT—Senators Edwards of Lafayette and Jacobs—2.

The title of the bill was read and agreed to.

Senator Caldwell moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 204, entitled "An act to exempt the husband from the payment of debts of the wife contracted before marriage," was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Stephens and Walker—32.

NOES—Senators Headlee and Rouse—2.

The title of the bill was read and agreed to.

Senator Hutt moved to reconsider the vote by which the bill

passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 149, entitled "An act to amend section 5467, chapter 98, Revised Statutes of Missouri, 'Of dramshops,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manning, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—34.

The title of the bill was read and agreed to.

Senator Heaston moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 147, entitled "An act to provide for the submission of constitutional amendments to a vote of the people," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manning, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—34.

The question then recurring on the emergency clause of the bill, the same was passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manning, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—34.

Senator Dobyns offered the following amendment to the title of the bill:

Amend title by inserting after the word "the" the words, "manner of;" which was agreed to.

The title, as amended, was then read and agreed to.

Senator Naylor moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 165, entitled "An act to amend section 1715 of article 12, chapter 24, Revised Statutes of Missouri, entitled 'Surety to

keep the peace,'” was taken up, read the third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rouse and Walker—31.

NO—Senator Headlee.

The title of the bill was read and agreed to.

Senator Naylor moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table ; the latter motion prevailed.

Senate bill No. 157, entitled “An act to amend section 5824, chapter 116 of the Revised Statutes of Missouri, relating to insane persons,” was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Perkins, Stephens and Walker—31.

NOES—Senators Pehle and Rouse—2.

ABSENT—Senator Rogers.

The title of the bill was read and agreed to.

Senator Walker moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table ; the latter motion prevailed.

Senate bill No. 174, entitled “An act in relation to appeal bonds and recognizances,” was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse and Stephens—32.

ABSENT—Senators Bradley and Walker—2.

The title of the bill was read and agreed to.

Senator DeArmond moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table ; the latter motion prevailed.

Senate bill 164, entitled “An act to amend section 1158, article 4, chapter 23 of the Revised Statutes of Missouri, ‘Of courts of record,’” was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrison, Naylor, Pehle, Perkins, Rogers, Rouse and Stephens—32.

ABSENT—Senators Bradley and Walker—2.

The title of the bill was read and agreed to.

Senator Edwards of St. Charles moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table. The latter motion prevailed.

Senate Bill No. 166, entitled "An act to amend section 3091, chapter 45 of the Revised Statutes of Missouri, entitled 'Of landlords and tenants,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McMahan, Mabrey, Mackey, Manistre, Manring, Morrison, Naylor, Pehle, Perkins, Rogers, Rouse and Stephens—31.

ABSENT—Senators Bradley, McGrath and Walker—3.

The title of the bill was read and agreed to.

Senator Dobyns moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table. The latter motion prevailed.

Senate Bill No. 103, entitled "An act to regulate practice in the Supreme Court and to aid in disposing of cases pending in said court," was taken up, read third time and passed by the following vote:

AYES—Senators Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Heard, Heaston, Hutt, Jacobs, McGrath, McMahan, Mabrey, Mackey, Manring, Naylor, Perkins, Rogers, Rouse, and Stephens—25.

NOES—Senators Allen, Gottschalk, Headlee, Lloyd, Manistre, Morrison and Pehle—7.

ABSENT—Senators Bradley and Walker—2.

The emergency clause of said bill was passed by the following vote:

AYES—Senators Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackey, Manring, Naylor, Perkins, Rogers, Rouse and Stephens—26.

NOES—Senators Allen, Gottschalk, Headlee, Manistre, Morrison and Pehle—6.

ABSENT—Senators Bradley and Walker—2.

Senator DeArmond offered the following amendment to the title of the bill, which was agreed to:

Amend by striking out the whole of the title and inserting in lieu thereof the following: "An act to provide for the appointment of three commissioners, as officers of the Supreme Court, to aid in the disposition of cases by said court."

Senator Heard moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table. The latter motion prevailed.

Senator Edwards of St. Charles submitted the following reports from the Committee on Engrossed Bills, which were read:

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 167, entitled "An act concerning the liability of cities, towns and persons for damages to persons or property caused by riots," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 171, entitled "An act to amend section 5608, of chapter 103, of the Revised Statutes of the State of Missouri, entitled 'Fees,'" beg leave to report that they have compared the same, and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 190, entitled "An act to amend article eight of chapter one hundred and sixty-two, Revised Statutes, entitled 'Of township organization,' by adding a new section thereto in reference to procuring record books and stationery," beg leave to report that they have compared the same, and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom referred Senate bill No. 160, entitled "An act to amend section 3311, chapter 52, Revised Statutes, entitled 'Of mortgages and deeds of trust,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom

was referred Senate Bill No. 189, entitled "An act to amend section 7433, article 1, chapter 162, Revised Statutes of 1879, entitled 'Township Elections,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 72, entitled "An act to amend chapter 119, Revised Statutes, entitled 'Of insurance,' by providing for the imposition and collection of fines and penalties," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 151, entitled "An act to authorize the appointment of stenographic reporters in courts exercising criminal jurisdiction in cases of felony, in cities having a population of more than one hundred thousand inhabitants," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Heaston introduced Senate bill No. 239, entitled "An act to amend section 7631, chapter 164, Revised Statutes, entitled 'Treasury department;'" which was read first time and ordered not printed.

Senator Heaston introduced Senate bill No. 240, entitled "An act to amend section 3132, chapter 46, Revised Statutes, entitled 'Of laws;'" which was read first time and ordered not printed.

Senator Morrisson introduced Senate bill No. 241, entitled "An act restraining stock from running at large in this State;" which was read first time and fifty copies ordered printed.

On first reading of House bills the following were read :

House bill No. 514, entitled "An act in relation to benevolent and charitable associations and societies."

Substitute for House bill No. 194, entitled "An act to amend section 862, article 4, chapter 21, Revised Statutes of Missouri of 1879, entitled 'Macadamized, graded and plank road companies.'"

Substitute for House bills Nos. 311 and 340, entitled "An act to amend section 6785 of article 4 of chapter 145 of the Revised Statutes of the State of Missouri of 1879, entitled 'Settlements of collectors.'"

House bill No. 291, entitled "An act to amend section 7529, chapter 162, article 12 of the Revised Statutes of Missouri, entitled 'Township organization,' relating to compensation of assessors."

House bill No. 421, entitled "An act to make trustees' and mortgagees' deeds evidence."

House bill No. 402, entitled "An act to provide for the registration and payment of State warrants."

House bill No. 400, entitled "An act to amend section four thousand one hundred and forty-five (4145), chapter seventy-seven (77) of the Revised Statutes of the State of Missouri, 'Of asylums.'"

Substitute for House bill No. 285, entitled "An act to amend sections four thousand nine hundred and thirty-seven (4937) and four thousand nine hundred and thirty-eight (4938), article five (5), chapter eighty-nine (89) of Revised Statutes, 'Of cities of the fourth class.'"

Substitute for House joint and concurrent resolution No. 25 $\frac{1}{2}$, fixing the day of adjournment for the Thirty-first General Assembly of Missouri.

On second reading, House bill No. 464, entitled "An act to amend section 6733, chapter 145, Revised Statutes, entitled 'Collectors' bonds,'" was read second time and referred to Committee on Ways and Means.

On second reading of Senate bills the following were read the second time and referred :

Senate bill No. 215, entitled "An act to authorize owners of real estate situated along county lines to list such real estate with the assessor in the county in which the largest portion of such real estate may be situated," to Committee on County Boundaries.

Senate bill No. 217, entitled "An act for the relief of James S. Rollins, and to appropriate money therefor," to Committee on Claims.

Senate bill No. 219, entitled "An act to amend the Constitution of Missouri to recognize the judicial system, and to make and formulate rules relative thereto," to Committee on Constitutional Amendments.

Senate bill No. 220, entitled "An act for the punishment of persons convicted of arson, burglary, robbery or larceny for the second or third time," to Committee on Criminal Jurisprudence.

Senate bill No. 222, entitled "An act to amend section six hundred and seventy-six (676), chapter twenty (20) of the Revised Statutes of the State of Missouri, entitled 'Of conveyances of real estate,'" to Committee on Judiciary.

Senate bill No. 225, entitled "An act to amend section 6315, chapter 129 of the Revised Statutes of Missouri, entitled 'Of merchants' licenses,'" to Committee on Ways and Means.

Senate bill No. 226, entitled "An act to amend section sixty-three hundred and fourteen (6314) of chapter one hundred and twenty-nine

(129) of the Revised Statutes of 1879, in relation to merchants' license," to Committee on Ways and Means.

Senate bill No. 228, entitled "An act to amend section 2882 of article 3, chapter 44 of the Revised Statutes, entitled 'Of replevin,'" to Committee on Judiciary.

Senate bill No. 235, entitled "An act for the relief of P. H. Edwards, formerly judge of the fourteenth judicial circuit," to Committee on Claims.

On motion of Senator Manring, the Senate adjourned till to-morrow morning at 10 o'clock.

FORTY-EIGHTH DAY—FRIDAY, March 4.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Senator Mackay presented a memorial from Milan Lodge No. 83, I. O. G. T., Sullivan county, Mo., praying for a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors in this State, which was referred to the Committee on Constitutional Amendments.

Senator Edwards of Lafayette presented a petition from citizens of Lafayette and Saline counties, praying for a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors, which was referred to the Committee on Constitutional Amendments.

Senator Rogers introduced Senate bill No. 242, entitled "An act to repeal an act entitled 'An act concerning the publication of judicial notices in cities having more than one hundred thousand inhabitants;'" which was read first time and ordered not printed.

Senator Manistre introduced Senate bill No. 243, entitled "An act to amend chapter 129, Revised Statutes, 1879, on merchants licenses;" which was read first time and ordered not printed.

Senator Manring submitted the following report from the Committee on Township Organization :

MR. PRESIDENT: Your Committee on Township Organization, to whom was referred Senate concurrent resolution No. 13, entitled "Concurrent resolution providing for furnishing township clerks with the Statutes and Session Acts of the General Assembly," beg leave to re-
that they have considered the same, and recommend that the accompanying substitute do pass.

Senate joint and concurrent resolution No. 13 not being called for, the substitute reported by the Committee was taken up, read first and second times, adopted and ordered engrossed.

Senator Edwards of Lafayette submitted the following report from the Committee on Claims :

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate bill No. 73, entitled "An act to appropriate money for the redemption of certain Union military bonds," beg leave to report that they have considered the same, and a majority of your committee recommend that it do pass.

Senate bill No. 73 was taken up and ordered engrossed.

Senator Rogers submitted the following report from the Committee on State Lands :

MR. PRESIDENT: Your Committee on State Lands, to whom was referred Senate bill No. 142, entitled "An act to amend the laws in relation to the sale and lease of the Agricultural College lands, and the investment of the proceeds as a fund for the endowment and support of the Agricultural and Mechanical College and School of Mines and Metallurgy, being a department of the State University," beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment.

Senate bill No. 142 was taken up and the following amendments, reported by the Committee, were agreed to:

No. 1.—Amend by adding at the end of section 17 the following: "The fees allowed to recorders for their services, under this act, shall not be considered as a part of the fees of their office, as allowed under existing laws in relation to fees of recorders, but shall be in addition thereto."

No. 2.—Amend section 21 by striking out the word "two," where it occurs in lines 21 and 29, and inserting in lieu thereof the word "three."

The bill, as amended, was ordered engrossed.

Senator Naylor submitted the following report from the Committee on Insurance, which was read :

MR. PRESIDENT: Your Committee on Insurance to whom was re-committed substitute for Senate bill No. 92, entitled "An act to enable insurance companies other than life to surrender their special charters and accept in lieu thereof the provisions of the general Insurance statutes, and to empower companies doing a stock and mutual business to continue the one and discontinue the other," beg leave to report that they have considered the same, and recommend that it do pass with the accompanying substitute.

Substitute for Senate bill No. 92, offered by the committee, was taken up, read first and second times and ordered printed.

Senator Dobyns submitted the following report from the Committee on Constitutional Amendments:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate joint and concurrent resolution No. 10, entitled "Joint and concurrent resolution submitting to the legal voters of the State of Missouri an amendment to the Constitution thereof concerning revenue and taxation," beg leave to report that they have considered the same, and recommend that it do not pass.

Senate joint and concurrent resolution No. 10 was taken up and indefinitely postponed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 223, entitled "An act to amend section 1486, chapter 24, article 6, Revised Statutes, in relation to 'Crimes and criminal procedure,'" beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 223 was taken up and ordered engrossed.

Senator McMahan submitted the following report from the Committee on Agriculture, which was read :

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred House bill No. 206, entitled "An act relating to the shipment of live stock and other articles of trade," beg leave to report that they have considered the same, and recommend that it do pass.

Senator DeArmond submitted the following reports from the Committee on Judiciary:

MR. PRESIDENT: Your Committee on Judiciary to whom was referred House bill No. 187, entitled "An act to amend section 3894,

chapter 65 Revised Statutes, entitled 'Of sheriffs and their deputies,' beg leave to report that they have considered the same, and I am instructed to recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 212, entitled "An act to amend section 3318, chapter 52, Revised Statutes 'Of mortgages and deeds of trust,'" beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported being Senate bill No. 212, was taken up and ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 229, entitled "An act to amend section 2710, chapter 40, Revised Statutes, entitled 'Of injunctions,'" beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 229 was taken up and ordered engrossed.

Senator Mabrey submitted the following report from the Committee on Swamp Lands, which was read:

MR. PRESIDENT: Your Committee on Swamp Lands, to whom was referred Senate joint and concurrent resolution No. 14, entitled "Joint and concurrent resolution urging Congress to provide for a survey and preparation of sectional and schedule maps of the swamp and overflowed lands in Southeast Missouri and Northeast Arkansas," beg leave to report that they have considered the same, and recommend that it do pass.

Senate joint and concurrent resolution No. 14 was taken up and ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 119, entitled "An act to amend section 2343, chapter 32, of the Revised Statutes of Missouri, entitled, 'Of executions,'" beg leave to report that they have considered the same and report it back without recommendation.

Senate bill No. 119 was recommitted to the Committee on Judiciary.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was re-

ferred Senate bill No. 180, entitled "An act to amend section twenty-six hundred and eighty-nine (2689), chapter thirty-nine (39), Revised Statutes, 'Of homesteads,'" beg leave to report that they have considered the same, and a majority of the committee recommend that it do pass.

Senate bill No. 180 was taken up, and Senator Cabell offered the following amendment, which was read first and second time :

Amend by striking out "fifteen hundred," in line 25, and inserting "three thousand."

Senator Cottey moved to lay the amendment on the table. The ayes and noes being demanded, the motion was lost by the following vote:

AYES—Senators Bryant, Cabell, Cottey, McGrath, Mackay, Manistre, Morrisson, Naylor, Perkins and Stephens—10.

NOES—Senators Allen, Bradley, Bland, Caldwell, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heaston, Hutt, Lloyd, McMahan, Mabrey, Manring, Pehle, Rogers and Rouse—20.

ABSENT—Senators Byrns, Heard, Jacobs and Walker—4.

The amendment was then agreed to by the following vote :

AYES—Senators Allen, Bryant, Bland, Cabell, Caldwell, Cottey, Dobyns, Dungan, Edwards of St. Charles, Gottschalk, Headlee, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mackay, Manistre, Morrisson, Naylor, Perkins, Rogers, Rouse, Stephens and Walker—25.

NOES—Senators Bradley, DeArmond, Edwards of Lafayette, Heaston, Mabrey, Manring and Pehle—9.

ABSENT—Senators Byrns and Heard—2.

Senator DeArmond offered the following amendment, which was agreed to :

Amend by striking out all between the word "amended," in third line, printed bill, and the word "by" in first line, printed bill.

The bill was ordered engrossed as amended.

The President announced that all other business would be suspended, and directed the Secretary to read at length the following named House bills: House bill No. 188, entitled "An act to amend section 2580, chapter 37 of the Revised Statutes of Missouri, entitled 'Guardians and curators;'" House bill No. 238, entitled "An act for the relief of James W. Liggett, Marshal of Jackson county;" and substitute for House bill 69, entitled "An act to amend section one thousand one hundred and fifty five (1155), article four (4), chapter twenty-three (23), Revised Statutes, 'Circuit courts—'" and that, unless ob-

jections be made, he would sign said bills, to the end that each may become a law.

No objections being made, House bill No. 188 was read at length by the Secretary, and, the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto, said bill was also signed by the Secretary.

No objections being made, House bill No. 238 was read at length by the Secretary, and the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto; said bill was also signed by the Secretary.

No objections being made, substitute for House bill No. 69 was read at length by the Secretary, and the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto; said bill was also signed by the Secretary.

On motion of Senator Cottey, the Senate went into Committee of the Whole, to consider substitute for Senate bills Nos. 3, 4, 12, 15, 21, 32, 38, 54, 59, 79, 109, 127 and 131.

Senator Hutt in the chair.

The committee rose, and Senator Hutt reported progress and asked leave to sit again, at 2½ o'clock; which was granted.

Senator Edwards of St. Charles submitted the following reports from the Committee on Engrossed Bills, which were read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 202, entitled "An act to amend section 1878, article 17, chapter 24, Revised Statutes, entitled 'Crimes and criminal procedure,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 162, "An act in relation to set-off," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 183, entitled "An act to amend section 1854, article 17, chapter 24, Revised Statutes, entitled 'Of crimes and criminal procedure,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was

referred Senate concurrent resolution No. 16, submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof, concerning the judicial department," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 125, entitled "An act fixing the pay of certain officers of the General Assembly," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Rogers moved that when the Senate adjourn it adjourn until 2½ o'clock P. M., which was agreed to.

On motion of Senator DeArmond, the Senate adjourned.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

On motion of Senator Cottey, the Senate resolved itself into a Committee of the Whole for the consideration of substitute for Senate bills Nos. 3, 4, 12, 15, 21, 32, 38, 54, 59, 79, 109, 127 and 131.

Senator Hutt in the chair.

On motion of Senator Morrisson, the committee rose; Senator Hutt reported progress and asked leave to sit again, which was granted.

On motion of Senator Morrisson, the Senate went into executive session at 4 P. M.

At 4:25 P. M. the Senate resumed its regular session.

Senator Lloyd submitted the following report from the Committee on Internal Improvements:

MR. PRESIDENT: Your Committee on Internal Improvements, to whom was referred Senate bill No. 137, entitled "An act to amend sections 833, 835 and 842, article 3, chapter 21, Revised Statutes, entitled 'Railroad classification, charges, commissioners,'" beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 137 was taken up and ordered engrossed.

Senator Lloyd submitted the following report from the Committee on Internal Improvements, which was read:

MR. PRESIDENT: Your Committee on Internal Improvements, to whom was referred Senate bill No. 138, entitled "An act to amend sections 838, 839 and 840, article 3, chapter 21, Revised Statutes, entitled 'Railroads, classification, charges, commissioners,'" beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 138 was taken up and ordered engrossed.

On second reading of Senate bills, the following were read and referred :

Senate bill No. 234, entitled "An act making an appropriation for the enlargement of the University of Missouri," to the Committee on Ways and Means.

Senate bill No. 236, entitled "An act to amend section 7631, article 1, chapter 164, Revised Statutes, entitled 'Treasury Department,'" to Committee on Ways and Means.

Senate bill No. 233, entitled "An act to authorize the Register of Lands to issue corrected patents for lands known as the five hundred thousand acres grant, township school land and swamp land," to Committee on Judiciary.

Senate bill No. 237, entitled "An act relating to towns and cities exercising their municipal authority under special charters," to Committee on State Lands.

Senate bill No. 238, entitled "An act to amend sections 2025 and 2026 of article 23, chapter 24, Revised Statutes of the State of Missouri, entitled 'Proceedings before justice in misdemeanors,'" to Committee on Criminal Jurisprudence.

Senate bill No. 239, entitled "An act to amend section 7631, chapter 164, Revised Statutes, entitled 'Treasury Department,'" to Committee on Ways and Means.

Senate bill No. 240, entitled "An act to amend section 3132, chapter 46, Revised Statutes, entitled 'Of laws,'" to Committee on Printing.

Senate bill No. 231, entitled "An act relating to the law of libel," to Committee on Criminal Jurisprudence.

Senate joint and concurrent resolution No. 17, instructing our Senators and requesting our Representatives in Congress to use all means in their representative capacity to secure the appropriation of \$25,000 for the purpose of improving Grand river and reclaiming the swamp lands lying along said river," to Committee on Federal Relations.

The following resolution, amending the standing rules of the Senate, introduced by Senator Cottey on yesterday was taken up, read second time and adopted:

Resolved, That rule 43 be amended, as follows :

Amend rule 43 by inserting between the words "question" and "without," in line 2, these words : "nor longer than ten minutes;" and by inserting between the words "reply" and "but," in line 4, these words : "not longer than five minutes," so that said rule, as amended, shall read as follows :

Rule 43. No member shall speak more than once to the same question, nor longer than ten minutes, without leave of the Senate, unless he be the mover, proposer or introducer of the matter pending, in which case he shall be permitted to speak in reply not longer than five minutes, but not until every member choosing to speak shall have spoken.

Senator Edwards of St. Charles submitted the following reports from the Committee on Engrossed Bills, which were read :

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 176, entitled "An act to regulate the sale of vinegar in this State," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 50, entitled "An act to appropriate money and provide for the payment of the claims of the Rolla Board of Education," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 5, entitled "An act to repeal an act entitled 'An act to provide for the exercise of the right of voting by persons who have failed to register,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 207, entitled "An act for the relief of Hazelton J. Skinner, and to appropriate money therefor," beg leave to report that they have compared the same, and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

On third reading of Senate bills, Senate bill No. 72, entitled "An act to amend chapter 119 of the Revised Statutes of Missouri, entitled 'Of insurance,' by providing for the imposition and collection of fines

and penalties;" was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Cabell, Cottey, Dobyns, Dungan, Edwards of St. Charles, Headlee, Heard, Heaston, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Morrisson, Naylor, Perkins, Stephens and Walker—22.

NOES—Senators Allen, Bland, Caldwell, Edwards of Lafayette, Gottschalk, Manistre, Manring, Pehle, Rogers and Rouse—10.

ABSENT—Senators DeArmond and Jacobs—2.

The title of the bill was read and agreed to.

Senator Naylor moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 151, entitled "An act to authorize the appointment of stenographic reporters in courts exercising criminal jurisdiction in cases of felony in cities having a population of more than one hundred thousand inhabitants;" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—32.

ABSENT—Senators Bradley and Jacobs—2.

The emergency clause of said bill was passed by the following vote:

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—32.

ABSENT—Senators Bradley and Jacobs—2.

The title of the bill was read and agreed to.

Senator Rogers moved to reconsider the vote by which the bill passed, and lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 160, entitled "An act to amend section 3311, chapter 52 of the Revised Statutes of the State of Missouri, entitled 'Of mortgages and deeds of trust,'" was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell,

Cotter, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Perkins, Rogers, Rouse, Stephens and Walker—30.

NOES—Senators Allen and Pehle—2.

ABSENT—Senators Edwards of St. Charles and Lloyd—2.

The title of the bill was read and agreed to.

Senator DeArmond moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 167, entitled "An act concerning the liability of cities, towns and persons for damages to persons or property caused by riots;" was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cotter, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse, Stephens and Walker—33.

ABSENT—Senator Perkins.

The title of the bill was read and agreed to.

Senator Naylor moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 171, entitled "An act to amend section 5608 of chapter 103 of the Revised Statutes of Missouri, entitled 'Fees;'" was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Caldwell, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Headlee, Heard, Hutt, Jacobs, Lloyd, McMahan, Mabrey, Mackay, Manring, Perkins, Rouse and Stephens—22.

NOES—Senators Cabell, Cotter, Edwards of Lafayette, Gottschalk, Heaston, McGrath, Manistre, Morrisson, Naylor, Pehle, Rogers and Walker—12.

The title of the bill was read and agreed to.

Senator Mabrey moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 189, entitled "An act to amend section 7433, article 1, chapter 162 of the Revised Statutes of Missouri, 1879, entitled

“Township elections;” was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk,¹ Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—33.

ABSENT—Senator Edwards of St. Charles.

The title of the bill was read and agreed to.

Senator Caldwell moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 190, entitled “An act to amend article 8 of chapter 162 of the Revised Statutes of Missouri, entitled ‘Of township organization,’ by adding a new section thereto, in reference to procuring record books and stationery;” was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—34.

The title of the bill was read and agreed to.

Senator Bradley moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; which latter motion prevailed.

Senate concurrent resolution No. 16, entitled “Concurrent resolution submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof, concerning the judicial department;” was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Stephens and Walker—32.

NOES—Senators Heaston and Rouse—2.

The title of the bill was read and agreed to.

Senator Edwards of St. Charles moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 125, entitled "An act fixing the pay of certain officers of the General Assembly;" was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Jacobs, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrison, Naylor, Perkins, Rogers, Rouse, Stephens and Walker—29.

NOES—Senators DeArmond, Dobyns, Heaston, Lloyd and Pehle—5.

The emergency clause of said bill was passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Cabell, Caldwell, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Jacobs, McMahan, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—26.

NOES—Senators Cottey, DeArmond, Dobyns, Heaston, Lloyd, McGrath and Mabrey—7.

ABSENT—Senator Bland.

The title of the bill was read and agreed to.

Senator Morrisson moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bills Nos. 5 and 162, was taken up and laid over informally.

On motion of Senator Phle, the Senate adjourned till to-morrow morning at 10 o'clock.

FORTY-NINTH DAY—SATURDAY, March 5.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

On third reading of Senate bills, Senate bill No. 50, entitled "An act to appropriate money and provide for the payment of the claim of the Rolla board of education;" was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, DeArmond, Edwards of St. Charles, Headlee, Heaston, Jacobs, McGrath, McMahan, Mabrey, Mackay, Morrisson, Pehle, Rogers, Rouse and Stephens—20.

NOES—Senators Caldwell, Cottey, Dobyns, Gottschalk, Hutt and Manring—6.

ABSENT—Senators Dungan, Edwards of Lafayette, Heard, Lloyd, Manistre, Naylor, Perkins and Walker—8.

The title of the bill was read and agreed to.

Senator Heard moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 183, entitled "An act to amend section 1854, article 17 of chapter 24 of the Revised Statutes of the State of Missouri, entitled 'Of crimes and criminal procedure; '" was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heaston, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Morrison, Pehle, Rogers, Rouse, Stephens and Walker—26.

NOES—Senators DeArmond, Headlee, Hutt and Manring—4.

ABSENT—Senators—Heard, Manistre, Naylor and Perkins—4.

The title of the bill was read and agreed to.

Senator Edwards of St. Charles moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the later motion prevailed.

Senate bill No. 162, entitled "An act in relation to set-off;" was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manring, Morrisson, Pehle, Rogers, Rouse, Stephens and Walker—31.

ABSENT—Senators Manistre, Naylor and Perkins—3.

The title of the bill was read and agreed to.

Senator Byrns moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 176, entitled "An act to regulate the sale of vinegar in this State;" was taken up, read third time and failed to pass by the following vote:

AYES—Senators Dungan and Manistre—2.

NOES—Senators Allen, Bryant, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Gottschalk, Heard, Heaston, Hutt, Jacobs, Lloyd, Mabrey, Mackay, Manring, Morrisson, Pehle, Rogers, Rouse, Stephens and Walker—24.

ABSENT—Senators Bradley, Byrns, Edwards of St. Charles, Headlee, McGrath, McMahan, Naylor and Perkins—8.

The following message was received from the House of Representatives through Mr. Hawley, Chief Clerk:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed House bill No. 345, entitled "An act to amend chapter 59, article 12, Revised Statutes, 'Of practice in civil cases,' to facilitate the final disposition of cases pending on on appeal."

Also, House bill No. 369, entitled "An act to amend section 4984, chapter 87, article 5 of the Revised Statutes, "Of cities, towns and villages:"

Also, House bill No. 208, entitled "An act relating to 'Fund, manufacturing and business companies:'"

Also, Substitute for House bill No. 215, entitled "An act concerning amendment of articles of association of private corporations:"

Also, Substitute for House bill No. 292, entitled "An act amending section 6942, chapter 147, Revised Statutes, relating to roads and highways:"

Also, House bill No. 376, "An act authorizing the county courts of all counties in the State which are in the territorial jurisdiction of the St. Louis court of appeals, to furnish the courts of record of said counties with copies of the reports of the decisions of the court of appeals:"

Also, House bill No. 333, entitled "An act to amend sections 985 and 986, article 10, chapter 22, Revised Statutes, entitled "Of costs in civil cases:":

Also, House bill No. 415, entitled "An act to amend section 3489, article 4, chapter 59, Revised Statutes:"

Also, Substitute for House bill No. 47, entitled "An act regulating the height of hedges fences—"

In which the concurrence of the Senate is respectfully requested.

Senate bill No. 202, entitled "An act to amend section eighteen

hundred and seventy-eight of article seventeen of chapter twenty-four of the Revised Statutes of Missouri, entitled 'Crimes and criminal procedure,' " was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse, Stephens and Walker—30.

ABSENT—Senators Bradley, Edwards of St. Charles, McGrath and Perkins—4.

The title of the bill was read and agreed to.

Senator Byrns moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table ; the latter motion prevailed.

Senate bill No. 207, entitled "An act for the relief of Hazelton J. Skinner, and to appropriate money therefor," was taken up, read third time, and passed by the following vote:

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse, Stephens and Walker—30.

NO—Senator DeArmond.

ABSENT—Senator Perkins.

ABSENT ON LEAVE—Senators Bradley and Edwards of St. Charles—2.

The emergency clause of said bill was passed by the following vote :

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, McGrath, McMahan, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rouse, Stephens and Walker—24.

NOES—Senators DeArmond, Dobyns, Jacobs, Lloyd, Mabrey and Rogers—6.

ABSENT ON LEAVE—Senators Bradley, Dungan, Edwards of St. Charles and Perkins—4.

Senator Heaston offered the following amendment to the title of the bill, which was agreed to :

Amend by striking out the title of the bill and inserting the following in lieu thereof: "An act to appropriate money to pay costs in

criminal cases to Hazelton J. Skinner, clerk of circuit court of Harrison county."

The title, as amended, was adopted.

Senator Heaston moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

On first reading of House bills, the following were read :

Substitute for House bill No. 47, entitled "An act requiring the owners of hedges along the highways to have them cut down to the height of five feet after said hedges are five years old."

House bill No. 345, entitled "An act to amend chapter 59, article 12 of the Revised Statutes, entitled 'Of practice in civil cases,' and to facilitate the final disposition of causes pending on appeal."

House bill No. 369, entitled "An act to amend section four thousand nine hundred and fifty four (4954), chapter eighty-nine, article five of the Revised Statutes of the State of Missouri, relating to cities, towns and villages."

House bill No. 208, entitled "An act to enable all fund companies and manufacturing and business companies now doing business in this State that have partially perfected their incorporation under sections 7, 8, 9, 10, 11, 12, 13, 14 and 15, chapter 68; also under sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15, chapter 69, Revised Statutes of the State of Missouri for 1865, to perfect such incorporation, and to perfect such incorporation, and to secure to them the benefits of all rights acquired prior to such incorporation."

Substitute for House bill No. 215, entitled "An act concerning amendment of articles of association of private corporations."

Substitute for House bill No. 92, entitled "An act to amend chapter 147, section 6942 Revised Statutes of State of Missouri."

House bill No. 376, entitled "An act authorizing the county courts of all counties in this State which are within the territorial jurisdiction of the St. Louis court of appeals, to furnish the courts of record of said counties with copies of the reports of the decisions of the court of appeals."

House bill No. 333, entitled "An act to amend sections nine hundred and eighty-five (985) and nine hundred and eighty-six (986), article ten (10), chapter twenty-two (22) of the Revised Statutes, 'Of costs in criminal cases.'"

House bill No. 415, entitled "An act to amend section 3489, article 4 of chapter 59 of the Revised Statutes of Missouri, 'Of the manner of commencing suits and the service of notices.'"

On second reading of House bills, the following were taken up, read second time and referred :

House bill No. 414, entitled "An act in relation to benevolent and charitable associations and societies," to Committee on Insurance.

Substitute for House bill No. 194, entitled "An act to amend section 862, article 4, chapter 21, Revised Statutes of Missouri of 1879, entitled 'Macadamized, graded and plank road companies,' " to Committee on Roads and Highways.

Substitute for House bills Nos. 311 and 340, entitled "An act to amend section 6785, of article 4 of chapter 145 of the Revised Statutes of the State of Missouri, of 1879, entitled 'Settlement of collectors,' " to Committee on Ways and Means.

House bill No. 291, entitled "An act to amend section 7529, chapter 162, article 12, Revised Statutes, entitled of 'Township organization,' relating to compensation of assessors," to Committee on Township Organization.

House bill No. 421, entitled "An act to make trustees' and mortgagees' deeds evidence," to Committee on Judiciary.

Substitute for House bill No. 285, entitled "An act to amend sections four thousand nine hundred and thirty-seven (4937) and four thousand nine hundred and thirty-eight (4938), article five (5), chapter eighty-nine (89), Revised Statutes, 'Of cities of the fourth class,' " to Committee on Banks and Corporations.

House bill No. 402, entitled "An act to provide for the registration and payment of State warrants," to Committee on Ways and Means.

House bill No. 400, entitled "An act to amend section four thousand one hundred and forty-five (4145), chapter seventy-seven (77), of the Revised Statutes, 'Of asylums,' " to Committee on Insane Asylums.

Substitute for House joint and concurrent resolution No. 254, fixing the day of adjournment of the Thirty-first General Assembly of Missouri, was taken up, read second time and referred to special committee consisting of Senators Cotter, DeArmond, Edwards of St. Charles, Lloyd and Byrns.

House bill No. 187, entitled "An act to amend section 3894 of chapter 65 of the Revised Statutes of Missouri, entitled 'Of sheriffs and their deputies,' " was read third time and passed by the following vote :

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Dobyns, Edwards of Lafayette, Gottschalk, Headlee, Heaston, McGrath, Mackay, Manistre, Manring, Morrisson, Rouse, Stephens and Walker—19.

NOES—Senators Allen, DeArmond, Dungan, Cottey, Edwards of St. Charles, Heard, Hutt, Lloyd, McMahan and Rogers—10.

ABSENT—Senators Jacobs, Mabrey, Naylor and Perkins—4.

ABSENT ON LEAVE—Senator Pehle.

Title of bill read and agreed to.

Senator Edwards of Lafayette moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

House bill No. 206, entitled "An act relating to the shipment of live stock, grain and other articles of trade," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heaston, Hutt, Lloyd, McGrath, McMahan, Mackay, Manistre, Manring, Morrisson, Naylor, Rouse and Stephens—25.

NO—Senator Rogers.

ABSENT—Senators Cottey, Edwards of St. Charles, Heard, Jacobs, Mabrey, Pehle, Perkins and Walker—8.

The title of the bill was agreed to.

Senator Edwards of Lafayette moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; which latter motion prevailed.

Senator Rogers presented a petition from citizens of St. Louis requesting the publication of "Hunt's Minutes," which was referred to Committee on Judiciary.

Senator Stephens introduced Senate bill 244, entitled "An act to amend section 3737, article 11, chapter 59, entitled 'Of changes of venue;'" which was read first time and ordered not printed.

On motion of Senator Cottey, the Senate went into Committee of the Whole for the purpose of considering substitute for Senate bills Nos. 3, 4, 12, 15, 21, 32, 38, 54, 59, 79, 109, 127 and 131, entitled "An act to revise and amend chapter 145, Revised Statutes, entitled 'Of the assessment and collection of the revenue.'"

Senator Hutt in the chair.

The committee arose, and Senator Hutt submitted the following report:

MR. PRESIDENT: Your Committee of the Whole, to whom was referred substitute for Senate bills Nos. 3, 4, 12, 15, 21, 32, 38, 54, 59, 79, 109, 127 and 131, entitled "An act to revise and amend chapter 145, Revised Statutes, entitled 'Of the assessment and collection of the

revenue,'” beg leave to report that they have considered the same, and recommend that it do pass.

The bill was read and Senator Bryant offered the following amendment:

Amend by adding the following section: “None of the provisions of this act shall be construed to apply to or affect the collection of the municipal revenue of any city, the collection of whose revenue is now wholly made under and by virtue of any special charter of such city heretofore granted by the legislature of this State.”

The amendmend was read first and second times and agreed to, and the bill, as amended, ordered engrossed.

Senator Morrisson submitted the following report from the Committee on Ways and Means, which was read:

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 236, entitled “An act to amend section 7631, article 1 of chapter 164, Revised Statutes, entitled ‘Treasury department,’ ” beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 236 was taken up and ordered engrossed.

Senator Dungan submitted the following report from the Committee on County Boundaries, which was read:

MR. PRESIDENT: Your Committee on County Boundaries, to whom was referred Senate bill No. 215, entitled “An act to authorize owners of real estate situate along county lines to list such real estate with the assessor in the county in which the largest portion of such real estate may be situated,” beg leave to report that they have considered the same, and recommend that it be referred to the Committee on Ways and Means.

Senate bill No. 215 was taken up and referred to the Committee on Ways and Means.

Senator Edwards of Lafayette submitted the following report from the Committee on Claims, which was read:

MR. PRESIDENT: Your Committee on Olaims, to whom was referred Senate bill No. 178, entitled “An act for the relief of D. P. Dyer, and to appropriate money therefor,” beg leave to report that they have considered the same, and a majority of your committee recommend that it pass.

Senate bill No. 178 was ordered engrossed.

Senator Edwards of Lafayette submitted the following report from the Committee on Olaims, which was read:

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate bill No. 177, entitled “An act for the relief of Charles G. Com-

stock, and to appropriate money therefor," beg leave to report that they have considered the same, and a majority of your committee recommend that it do pass.

Senate bill No. 177 was taken up and ordered engrossed.

Senator Heaston submitted the following report from the Committee on Printing, which was read :

MR. PRESIDENT: Your Committee on Printing, to whom was referred Senate bill No. 240, entitled "An act to amend section 3132, chapter 46, Revised Statutes, entitled 'Of laws,'" beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 240 was taken up and ordered engrossed.

On second reading of Senate bills, Senate bill No. 92, entitled, "An act to amend chapter 147, section 6942, Revised Statutes of the State of Missouri," was taken up with the substitute reported by the Committee and made the special order for next Monday morning at 11 o'clock.

Senate bill No. 242, entitled "An act to repeal an act entitled 'An act concerning the publication of judicial notices in cities having more than one hundred thousand inhabitants,'" was taken up, read second time and referred to the St. Louis delegation.

Senate bill No. 243, entitled "An act to amend chapter 129, 'Merchants licenses,'" was taken up, read second time and referred to Committee on Education.

Substitute for Senate bill No. 11, entitled "An act to amend chapter 62 of the Revised Statutes of Missouri, entitled 'Of recorders of deeds,'" was taken up, and Senator Bryant offered the following amendment, which was agreed to :

Amend by adding after the word "deputies," in lines 25 and 44, the following: "Provided, however, that in counties where said recorder keeps an office in more than one place, the said recorder shall turn over to the county treasurer all fees received by him in excess of the sum of four thousand dollars, after paying out of such fees and emoluments such amounts for the hire of deputies and assistants in his office as the county court may deem just and proper."

The bill was ordered engrossed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 105, entitled "An act to regulate the retailing of intoxicating liquors by dealers in drugs and medicines, and to repeal chapter one hundred of the Revised Statutes of Missouri,

'Of druggists and their licenses,' and all other acts and parts of acts inconsistent with this act," beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 105 was ordered engrossed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 185, entitled "An act to amend sections 5442 and 5464, chapter 98, Revised Statutes, entitled 'Of dram-shops,'" beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 185 was taken up and ordered engrossed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 175, entitled "An act to amend section 5441 of the Revised Statutes of Missouri, entitled 'Of dram-shops,'" beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 175 was taken up, and ordered engrossed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 205, entitled "An act to amend section 7195, chapter 152, Revised Statutes, in relation to 'Shows and circuses,'" beg leave to report that they have considered the same, and recommend that it do not pass.

Senate bill No. 205 was taken up, and on motion of Senator Byrns, was indefinitely postponed.

Senator Morrisson moved, that when the Senate adjourn it adjourn to meet at 2½ o'clock P. M. ; which was carried.

Senator Rogers was granted leave of absence for the day.

On motion of Senator Morrisson, the Senate adjourned.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Senator Heaston submitted the following report from the Committee on Federal Relations, which was read :

MR. PRESIDENT: Your Committee on Federal Relations to whom was referred Senate joint and concurrent resolution instructing our Senators, and requesting our Representatives in Congress to use all means in their representative capacity to secure the appropriation of \$25,000 for the purpose of improving Grand river, and reclaiming the swamp land lying along said river, beg leave to report that they have considered the same, and recommend that it do pass.

Senate joint and concurrent resolution No. 14 was taken up, and ordered engrossed.

Senator Mackay submitted the following report from the Committee on Retrenchment and Reform, which was read :

MR. PRESIDENT: Your Committee on Retrenchment and Reform, to whom was referred Senate joint and concurrent resolution No. 12, entitled "Joint and concurrent resolution in relation to the absence of members," beg leave to report that they have considered the same, and recommend that it do not pass.

Senate joint and concurrent resolution No. 12, in relation to the absence of members, was taken up, and the Senate refused to order it to engrossment by the following vote :

AYES—Senators Allen, Caldwell, DeArmond, Dobyns, Gottschalk, Heaston, Hutt, Jacobs, McMahan, Manring, Pehle and Stephens—12.

NOES—Senators Bradley, Bryant, Byrns, Bland, Cottey, Dungan, Edwards of Lafayette, Edwards of St. Charles, Heard, Lloyd, McGrath, Mabrey, Mackay, Manistre, Morrisson, Perkins, Rouse and Walker—19.

ABSENT—Senators Cabell, Headlee and Naylor—3.

Senator Edwards of St. Charles submitted the following reports from the Committee on Engrossed Bills, which were read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 186, entitled "An act concerning the transportation of nitro-glycerine and other combustible and explosive articles," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 94, entitled "An act to amend section 6334, chapter 129, Revised Statutes, entitled 'Of merchants' licenses,' " beg leave to report that they have compared the same, and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 145, entitled "An act to provide a uniform system of text-books for the use of the public schools of the State, and to regulate and control the introduction and sale of the same," beg leave to report that they have compared the same, and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 184, entitled "An act to amend sections 5853, and 5868, article 2, chapter 117, Revised Statutes, concerning inspection of tobacco," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 126, entitled "An act to amend section 3680, article 7, chapter 59, Revised Statutes, entitled 'Of practice in civil cases,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 195, entitled "An act to amend section 698, chapter 20, Revised Statutes, entitled 'Of conveyances of real estate,'" beg leave to report that they have compared the same and find it truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Hutt called up substitute for Senate bill No. 23, and moved to reconsider the vote by which it was ordered to engrossment. Carried.

Substitute for Senate bill No. 23 was then referred to Committee on Judiciary.

Senator Mabrey submitted the following report from the Committee on Swamp Lands, which was read:

MR. PRESIDENT: Your Committee on Swamp Lands, to whom was referred Senate bill No. 148, entitled "An act providing for the payment of outstanding warrants issued for the drainage of swamp lands, and to provide funds therefor," beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendments.

Senate bill No. 148 was taken up, and the following amendments, reported by the Committee, were agreed to:

Amend section 1 by inserting between the words "therefore" and

"and," in line 32, the following: "not exceeding, in connection with other taxes, the limitation fixed by the Constitution."

Amend by striking out all of section 2.

The bill, as amended, was ordered engrossed.

On motion of Senator Morrisson, the Senate went into Committee of the Whole for the consideration of Senate bill No. 67.

Senator Hutt in the chair.

The committee rose, and Senator Hutt reported progress, and asked leave to sit again at 11½ o'clock Monday; which was granted.

Senator McGrath introduced the following resolution, which was read, and, on motion of Senator DeArmond, indefinitely postponed:

WHEREAS, Governor T. T. Crittenden has officially requested the resignations of John D. Finney and Leslie A. Moffett, two of the Police Commissioners of the city of St. Louis, appointed by ex-Governor John S. Phelps, and confirmed by the Senate for a term of four years, expiring January 1, 1883; and,

WHEREAS, The removal of said parties is a serious reflection upon their character as men and citizens, without a possible chance for redress; that a regard for the sacredness of human character demands that they at least have an investigation into the facts, that they may have a chance to vindicate their characters and relieve themselves from any charge that may now be against them; therefore, be it

Resolved, That a committee of five Senators be appointed to visit St. Louis and investigate the alleged official misconduct of the late and present Board of Police Commissioners, and that this committee report the result to the Senate as early as practicable.

Resolved, That for this purpose the committee be empowered to send for papers and persons, that they may obtain testimony bearing upon the subject of investigation, and to appoint a clerk and sergeant-at-arms for said committee.

On motion of Senator Heard, the Senate adjourned until Monday morning at 10 o'clock.

FIFTIETH DAY—MONDAY, March 7.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of Saturday read and approved.

Senator Caldwell presented a petition from Economy Grange No. 1830, of Macon county, Missouri, praying for a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors in this State; which was referred to the Committee on Constitutional Amendments.

Senator Walker introduced Senate bill No. 245, entitled "An act to reorganize the geological survey of the State of Missouri;" which was read first time and ordered not printed.

Senator Perkins submitted the following report from the Committee on Roads and Highways :

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate bill No. 30, entitled "An act authorizing the establishing, widening and improving public roads, avenues and boulevards," beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendments.

Senate bill No. 30 was taken up, and the following amendments, reported by the committee, agreed to :

Amend section 1 by inserting the words "twenty-five" between the words "one hundred" and "feet."

Amend by striking out section 5.

The bill, as amended, was ordered engrossed.

Senators McGrath and Heard were granted leave of absence until tomorrow.

On second reading of Senate bills, Senate Bill No. 244, entitled 'An act to amend section 3737, article 11, chapter 59, entitled 'Of changes of venue,' was taken up, read second time and referred to Committee on Judiciary.

On third reading of Senate bills, Senate Bill No. 94, entitled "An act to amend section 6334 of chapter 129 of the Revised Statutes of the State of Missouri, entitled 'Of merchants' licenses,'" was taken up, read third time and failed to pass by the following vote:

AYES—Senators Bland, Caldwell, Dobyns, Dungan, Edwards of Lafayette, Heaston and Manring—7.

NOES—Senators Allen, Bradley, Bryant, Byrns, Cabell, Cottey, Edwards of St. Charles, Gottschalk, Hutt, Jacobs, Lloyd, McMahan, Mabrey, Mackey, Manistre, Morrison, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—23.

ABSENT—Senators DeArmond, Headlee, Heard and McGrath—4.

Senate Bill No. 145, entitled "An act to provide for the selection of a uniform system of text-books for the use of the public schools of the State, and to regulate and control the introduction and sale of the same," was taken up and laid over informally.

Senate Bill No. 184, entitled "An act to amend sections fifty-eight hundred and fifty-three and fifty-eight hundred and sixty-eight of article two of chapter one hundred and seventeen of the Revised Statutes of the State of Missouri, concerning 'Inspection of tobacco,'" was taken up and laid over informally.

Senate Bill No. 126, entitled "An act to amend section 3660, article 7 of chapter 59 of the Revised Statutes of Missouri, entitled 'Of practice in civil cases,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heaston, Hutt, Jacobs, Lloyd, McMahan, Mabrey, Mackey, Manistre, Manring, Morrison, Naylor, Pehle, Perkins, Rogers, Rouse and Stephens—29.

ABSENT—Senators DeArmond, Headlee and Walker—3.

ABSENT ON LEAVE—Senators Heard and McGrath—2.

The title of the bill was read and agreed to.

Senator Lloyd moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table. The latter motion prevailed.

Senate Bill No. 195, entitled "An act to amend section 698, chapter 20 of the Revised Statutes of Missouri, entitled 'Of conveyances of real estate,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dobyns, Dungan, Edwards of Lafayette, Edwards

of St. Charles, Gottschalk, Hutt, Jacobs, Lloyd, McMahan, Mabrey, Mackey, Manistre, Manring, Morrison, Naylor, Perkins, Rogers, Stephens and Walker—27.

NOES—Senators Heaston, Pehle and Rouse—3.

ABSENT—Senator DeArmond.

ABSENT ON LEAVE—Senators Headlee, Heard and McGrath—3.

The title of the bill was read and agreed to.

Senator Cottey moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Headlee granted leave of absence for one week.

Senate Bill No. 186, entitled "An act concerning the transportation of nitro-glycerine and other combustible and explosive articles," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heaston, Hutt, Jacobs, Lloyd, McMahan, Mabrey, Mackey, Manistre, Manring, Morrison, Naylor, Pehle, Perkins, Rogers, Rouse Stephens and Walker—31.

ABSENT ON LEAVE—Senators Headlee, Heard and McGrath—3.

The title of the bill was read and agreed to.

Senator Byrns moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Gottschalk offered the following resolution, which was read:

WHEREAS, The Committee of Ways and Means of this Senate has now had the House appropriation bill in their hands for fourteen days or more, and not reported thereon as yet; and,

WHEREAS, The session of this General Assembly is drawing to a close, there being but nine days of the session left for this most important matter; therefore, be it

Resolved, That said Committee of Ways and Means is hereby instructed to report thereon within the next two days.

Senator Cottey raised the point of order that the resolution was out of order in as much as it was an instruction to the Committee to report on a bill, when it was only competent to request the Senate to return the bill to the Senate.

The President ruled that the point of order was well taken, from which ruling of the Chair Senator Gottschalk appealed to the Senate.

The question then being "Shall the decision of the Chair stand as the decision of the Senate?" Senator Gottschalk demanding the ayes and noes, the Chair was sustained by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Heaston, Hutt, Jacobs, Lloyd, McMahan, Mabrey, Mackey, Manistre, Manring, Morrison, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—29.

NO—Senator Gottschalk.

ABSENT—Senator Edwards of St. Charles.

ABSENT ON LEAVE—Senators Headlee, Heard and McGrath—3.

Senator Naylor called up substitute for Senate bill No. 92, being the special order, and it was postponed until 11 o'clock to-morrow.

On second reading of House bills, substitute for House bill No. 92, entitled "An act to amend chapter 147, section 6942 Revised Statutes of State of Missouri," was taken up read second time and referred to Committee on Roads and Highways.

House bill No. 415, entitled "An act to amend section 3489, article 4 of chapter 59 of the Revised Statutes of Missouri, 'Of the manner of commencing suits and the service of notices,'" was taken up read second time and referred to Committee on Judiciary.

Substitute for House bill No. 47, entitled "An act requiring the owners of hedges along the highways to have them cut down to the height of five feet after said hedges are five years old," was taken up read second time and referred to Committee on Agriculture.

House bill No. 376, entitled "An act authorizing the county courts of all counties in this State which are within the territorial jurisdiction of the St. Louis Court of Appeals, to furnish the courts of record of said counties with copies of the reports of the decisions of the court of appeals," was read second time and referred to Committee on Judiciary.

House bill No. 369, entitled "An act to amend section four thousand, nine hundred and fifty-four (4954), chapter eighty-nine, article five of the Revised Statutes of the State of Missouri, relating to cities, towns and villages," was read second time and referred to Committee on Banks and Corporations.

House bill No. 345, entitled "An act to amend chapter 59, article 12 of the Revised Statutes, entitled 'Of practice in civil cases,' and to facilitate the final disposition of causes pending on appeal," was read second time and referred to Committee on Judiciary.

House bill No. 333, entitled "An act to amend sections nine hundred and eighty-five (985) and nine hundred and eighty-six (986), article ten (10), chapter twenty-two (22) of the Revised Statutes, 'Of costs in criminal cases,'" was read second time and referred to Committee on Criminal Jurisprudence.

Senate bill No. 215, entitled "An act concerning amendment of articles of association of private corporations," was read second time and referred to Committee on Banks and Corporations.

Senate bill No. 208, entitled "An act to enable all fund companies and manufacturing and business companies now doing business in this State that have partially perfected their incorporation under sections 7, 8, 9, 10, 11, 12, 13, 14 and 15, chapter 68; also under sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15, chapter 69, Revised Statutes of the State of Missouri for 1865, to perfect such incorporation, and to secure to them the benefits of all rights acquired prior to such incorporation," was read second time and referred to Committee on Banks and Corporations.

Senator Naylor submitted the following report from the Committee on Insurance, which was read :

MR. PRESIDENT: Your Committee on Insurance to whom was referred House bill No. 514, entitled "An act in relation to benevolent and charitable associations and societies," beg leave to report that they have considered the same, and recommend that it do pass.

House bill No. 514, entitled "An act in relation to benevolent and charitable associations and societies," was taken up read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Cottey, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—28.

ABSENT—Senators Caldwell, DeArmond and Lloyd—3.

ABSENT ON LEAVE—Senators Headlee, Heard and McGrath—3.

The emergency clause of said bill, was adopted by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heaston, Hutt, Jacobs, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—29.

ABSENT—Senator DeArmond.

ABSENT ON LEAVE—Senators Headlee, Heard, Lloyd and McGrath
—4.

The title of the bill was read and agreed to.

Senator Naylor moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Morrisson called up Senate bill No. 67, the special order for to-day, and moved that it be made special order for to-morrow at 11½ o'clock; which was agreed to.

Senator Cottey moved that when the Senate adjourn, it adjourn until 10 o'clock to-morrow morning.

Senator Walker introduced Senate bill No. 247, entitled "An act to provide for the indexing of the minutes of judges of courts of record in certain cases;" which was read first time and ordered not printed.

Senator DeArmond introduced Senate bill No. 246, entitled "An act to relieve the supreme court from the necessity of preparing written opinions in certain cases;" which was read first time and ordered not printed.

Senator Bryant introduced Senate bill No. 248, entitled "An act as to searches and certificates as to judgments;" which was read first time and ordered not printed.

Senator Edwards of Lafayette submitted the following report from the Committee on Claims:

MR. PRESIDENT: Your Committee on Claims to whom was referred Senate bill No. 217, entitled "An act for the relief of James S. Rollins, and to appropriate money therefor," beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment to the title of said bill.

Senate bill No. 217 was taken up and the following amendment reported by the committee, adopted:

"An act to appropriate money for the payment of the services of James S. Rollins as a member of the General Assembly of the State of Missouri."

The bill, as amended was ordered engrossed.

On motion of Senator Edwards of Lafayette, the Senate adjourned.

FIFTY-FIRST DAY—TUESDAY, March 8.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

Senator Bland presented a petition from citizens of Clinton county, Missouri, asking for a change in the dramshop law; which was referred to the Committee on Criminal Jurisprudence.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 227, entitled "An act to amend section 5607, chapter 103, Revised Statutes, entitled 'Of fees,'" beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 227 was taken up and ordered engrossed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 238, entitled "An act to amend sections 2025 and 2026, article 23, chapter 24, Revised Statutes, entitled 'Proceedings before justices in misdemeanor,'" beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 238 was taken up and ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 211, entitled "An act in relation to the sale and leasing of the real estate of persons of unsound mind and re-investment and other disposition of the proceeds thereof," beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 211 was taken up and ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 62, entitled "An act to amend section 2732, chapter 42 of the Revised Statutes of Missouri, entitled 'Of judgments,'" beg leave to report that have considered the same, and recommend that it do pass.

Senate bill No. 62 was taken up and ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 150, entitled "An act to amend section eight hundred and six (806) article two (2), chapter twenty-one (21) of the the Revised Statutes, entitled 'Of private corporations,'" beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 150 was taken up and ordered engrossed.

Senator Edwards of St. Charles submitted the following reports from the Committee on Engrossed Bills, which were read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 212, entitled "An act to amend section 3318, chapter 52, Revised Statutes, 'Of mortgages and deeds of trust,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 137, entitled "An act to amend sections 833, 835 and 842, article 3, chapter 21, Revised Statutes, entitled railroad classification—charges—commissioners," beg leave to report that they have compared the same and find it to be truly engrossed and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 141, entitled "An act restraining stock from running at large in this State," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 223, entitled "An act to amend section 1486, chapter 24, article 6, of the Revised Statutes, in relation to 'Crimes and criminal procedure,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 229, entitled an act to amend section 2710, chapter 40 Revised Statutes, 'Of injunctions,' beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 84, entitled "An act to consolidate the permanent school fund and the seminary fund in certificates of indebtedness of the State, bearing six per cent interest, and to provide for cancelling the State bonds and certificates of indebtedness now held in trust for said fund," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate joint and concurrent resolution No. 13, providing for furnishing township clerks with the statutes and session acts of the General Assembly, beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished the Senators are correct.

On second reading of Senate bills, the following were read and referred:

Senate bill No. 245, entitled "An act to reorganize the geological survey of the State of Missouri," to Committee on Mines and Manufactures.

Senate bill No. 246, entitled "An act to relieve the Supreme Court from the necessity of preparing written opinions in certain cases," to Committee on Judiciary.

Senate bill No. 247, entitled "An act to provide for the indexing of the minutes of judges of courts of record in certain cases," to Committee on Judiciary.

Senate bill No. 248, entitled "An act as to searches and certificates as to judgments," to Committee on Judiciary.

Senator Cottey offered the following resolution, which was read and adopted:

Resolved, 1. That the public printer be instructed to print the engrossed revenue bill at once, and that he give it precedence over all other matters until completed.

2. That the Secretary promptly furnish the printer with a copy of this resolution.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 173, entitled "An act in relation to bonds of ex-officio collectors," beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 173 was taken up and ordered engrossed.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 182, entitled "An act to amend section 7628, article 1 of chapter 164 of the Revised Statutes, entitled 'Of the State Treasury,'" beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 182 was taken up and ordered engrossed.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means to whom was referred Senate bill No. 231, entitled "An act for the relief of Geo. W. Arnold and Geo. W. Fricke, and to appropriate money therefor," beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 231 was taken up and ordered engrossed.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 232, entitled "An act for the relief of Edward Price, and to appropriate money therefor," beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 232 was taken up and ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary to whom was referred House bill No. 235, entitled "An act to amend section 2963, article 6, chapter 44, and section 4030, chapter 72, Revised Statutes, concerning services of subpoenas," beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendments.

House bill No. 235 was taken up, and the following amendment reported by the committee, was agreed to :

Amend by prefixing to the first line, after enacting clause, the fol

lowing: "Section 1;" and by inserting "either" between "served" and "by," and "by" between "or" and "any," in the tenth line of the bill; and by prefixing to the eighteenth line "section 2;" and by striking out "all" between "in" and "civil," in the thirty-fourth line of the bill.

The bill, as amended, was then read third time and passed by the following vote:

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manring, Morrisson, Naylor, Perkins, Rogers, Rouse, Stephens and Walker—29.

NOES—Senators Manistre and Pehle—2.

ABSENT ON LEAVE—Senators Bradley, Headlee and Heard—3.

The title of the bill was read and agreed to.

Senator DeArmond moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Jacobs was granted leave of absence until next Thursday.

On motion of Senator Edwards of St. Charles, the Senate took a recess for twenty minutes.

The recess having expired, the President called the Senate to order.

By consent, Senator Heard offered the following resolution, which was adopted:

Resolved, That one thousand copies of the address delivered on the occasion of the presentation to this State of the portrait of Hon. Edward Hempstead, be delivered to the Missouri Historical Society for the use of said society, and for distribution by it.

The following message was received from the House of Representatives, through Mr. Hawley, Chief Clerk:

MR. PRESIDENT: I am instructed by the House, to inform the Senate that the House has taken up and passed substitute for House joint and concurrent resolution No. 1, memorializing Congress to oppose the passage of a bankrupt law:

Substitute for House bill No. 66, entitled "An act to amend section 3170, article 5, chapter 46, Revised Statutes:"

Also, House bill No. 140, entitled "An act to prevent the spread of contagious diseases among hogs and other cattle:"

Also, substitute for House bill No. 202, relating to Texas, Spanish and Indian cattle:

Also, substitute for House bill No. 229, entitled "An act to amend section 7453, chapter 162, article 4, Revised Statutes, relating to township elections, precincts, judges of election and clerks of election:"

Also, House bill No. 277, An act to amend sections 2560, 2561, 2562, 2563, 2565, 2566, 2567, 2568, 2569, 2570, 2571 and 2580, Revised Statutes, in reference to the appointment of guardians and curators:

Also, substitute for House bill No. 287, entitled "An act to provide for the punishment of embezzlement by persons acting in a fiduciary capacity:"

Also, substitute for House bill No. 297, entitled "An act to amend section 7445, article 4, chapter 162, Revised Statutes, relating to method of holding 'Township elections:'"

Also, House bill No. 331, entitled "An act to amend section 2618, chapter 38, Revised Statutes, entitled 'Of habeas corpus:'"

Also, House bill No. 393, entitled "An act to amend sections 3, 6 and 7 of an act entitled 'An act to authorize counties to hold elections for the purpose of incurring indebtedness above the amount of the income and revenue for any one year, and to provide for the issuing and sale of bonds to cover the indebtedness so created,' approved March 19, 1879:"

Also, House bill No. 581, entitled "An act to amend section 5250, chapter 94, Revised Statutes, 1879, 'Of county boundaries:'"

Also, substitute for House bill No. 63, entitled "An act to amend section 1151, article 4, chapter 23, Revised Statutes, 'Circuit courts:'"

Also, substitute for House bills Nos. 279 and 330, entitled "An act to amend section 7514, article 11, chapter 162, Revised Statutes, entitled 'Of township organization,' and relating to roads and highways:"

Also, substitute for House bill No. 221, "An act in relation to the filing of abstracts of judgments to secure liens and the duties of clerks"—

In which the concurrence of the Senate is respectfully requested.

Senate bill No. 241, entitled "An act to amend section 3415, article 5, chapter 59 of the Revised Statutes of Missouri, 'Of practice in civil cases;" was read second time and referred to the Committee on Judiciary.

The following message was received from the House, through Mr. Hawley, Chief Clerk:

MR. PRESIDENT: I am instructed by the House to inform the Sen-

ate that the House has taken up and passed House bill No. 460, "An act concerning macadamized roads:"

Also, House bill No. 555, "An act authorizing the formation of a police relief association in any city having over one hundred thousand inhabitants"—

In which the concurrence of the Senate is respectfully requested.

Substitute for Senate bill No. 92, entitled "An act to enable insurance companies other than life, to surrender their special charters, and accept in lieu thereof the provisions of the General Insurance Statutes," being the special order, was taken up.

Senator Allen offered an amendment in form of a substitute for the bill.

Senator Manistre moved that the bill be laid over informally, and the amendment printed for the information of the Senate.

The ayes and noes being demanded, the motion to postpone was lost by the following vote :

AYES—Senators Allen, Bland, Caldwell, Dungan, Edwards of Lafayette, Gottschalk, Heaston, Hutt, Manistre, Manring, Pehle and Rouse—12.

NOES—Senators Bradley, Bryant, Byrns, Cabell, Cottey, DeArmond, Dohyna, Edwards of St. Charles, Heard, Lloyd, McGrath, McMahan, Mabrey, Mackey, Morrisson, Naylor, Perkins, Rogers, Stephens and Walker—20.

ABSENT ON LEAVE—Senators Headlee and Jacobs—2.

The question then recurring upon the adoption of the amendment, it was read, and, on motion of Senator Heard, the bill and amendment recommitted to the Committee on Insurance.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary to whom was referred Senate bill No. 246, entitled "An act to relieve the Supreme Court from the necessity of preparing written opinions in certain cases," beg leave to report that they have considered the same, and recommend that it do pass.

Senate Bill No 246 was taken up and ordered engrossed.

On motion of Senator Heaston the Senate adjourned until 2 o'clock P. M.

• AFTERNOON SESSION.

Senate met pursuant to recess taken.

The President in the chair.

A quorum present.

Senate Bill Fo. 67, being the special order, was taken up, and, on motion of Senator Morrisson, the Senate went into Committee of the Whole for consideration of said bill.

Senator Hutt in the chair.

The Committee arose and the President called the Senate to order.

Senator Hutt reported progress and asked leave to sit again, which was granted.

The following messages were received from the House of Representatives through Mr. Hawley, Chief Clerk :

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed House bill No. 71, entitled "An act for the relief of Daniel Baldridge, of Sullivan county:"

Also, Substitute for House Bill No. 224, entitled "An act to amend section 2124, chapter 25, Revised Statutes, 'Of damages:':"

Also, Substitute for House Bill No. 164, entitled "An act to provide for the reimbursement of certain townships in certain counties of the State for moneys heretofore paid into the State Treasury belonging to said townships"—

In which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up House Bill No. 241, entitled "An act to amend section 1547, article 8, Revised Statutes, relating to offences against the public morals and decency or the public police and miscellaneous offences," and concurred in Senate amendments Nos. 1, 2 and 3, thereto attached, and bill, as amended, passed.

Senator Naylor submitted the following report from the Committee on Insurance, which was read :

MR. PRESIDENT: Your Committee on Insurance to whom was re-committed Substitute for Senate Bill No. 92, with amendments, entitled "An act to enable insurance companies, other than life, to surrender their special charters and accept in lieu thereof the provisions of the general insurance statutes," beg leave to report that they have considered the same, and recommend that the substitute do pass, with the accompanying amendments.

Substitute for Senate Bill No. 92 was taken up and the following amendments, reported by the Committee, were agreed to :

No. 1. Amend section 4 by inserting between the words "news-paper" and "in" in the 8th line, the words "of general circulation."

No. 2. Amend section 9 by striking out the word "or" in the 16th line, and inserting in lieu thereof the word "and."

No. 3. Amend section 9 by inserting after the word "contracts" the words "then existing."

No. 4. Amend section 9 by inserting at the end of said section the words "subject to the general insurance and corporation laws of the State."

Substitute, as amended, was adopted and ordered engrossed.

By consent of the Senate, Senator Allen withdrew his amendment.

On third reading of Senate bills, Senate Bill No. 212, entitled "An act to amend section 3318, chapter 52 of the Revised Statutes of Missouri, 'Of mortgages and deeds of trust,'" was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dungan, Edwards of Lafayette, Gottschalk, Heard, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—27.

ABSENT—Senators DeArmond, Dobyns, Edwards of St. Charles, Headlee, Heaston, Jacobs—6.

SICK—Senator McGrath.

The title of the bill was read and agreed to.

Senator Dungan moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator McGrath reported sick.

Senate Bill No. 141, entitled "An act restraining stock from running at large in this State," was taken up, read third time and failed to pass by the following vote :

AYES—Senators Allen, Bland, Caldwell, Dungan, Gottschalk, Pehle, Rogers and Stephens—8.

NOES—Senators Bradley, Byrns, Cottey, Edwards of Lafayette, Heard, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Perkins, Rouse and Walker—16.

ABSENT ON LEAVE—Senators Bryant, Cabell, DeArmond, Dobyns, Edwards of St. Charles, Headlee, Heaston, Jacobs and Naylor—9.

SICK—Senator McGrath.

Senate Bill No. 223, entitled "An act to amend section 1486, chapter 24, article 6 of the Revised Statutes of Missouri, in relation to 'Crimes and criminal procedure,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dungan, Edwards of Lafayette, Gottschalk, Heard, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morrison, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—27.

ABSENT—Senators DeArmond and Dobyns—2.

ABSENT ON LEAVE—Senators Edwards of St. Charles, Headlee, Heaston and Jacobs—4.

SICK—Senator McGrath.

The title of the bill was read and agreed to.

Senator Rogers moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 514, entitled "An act in relation to benevolent and charitable associations and societies," and stated that, unless objections be made, he would sign the same, to the end that it may become a law.

The bill was read at length by the Secretary, no objection being made, and the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto; said bill was also signed by the Secretary.

Senate bill No. 229, entitled "An act to amend section 2710, chapter 40, Revised Statutes, entitled 'Of injunctions,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dungan, Edwards of Lafayette, Gottschalk, Heard, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morrison, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—27.

ABSENT—Senators DeArmond, Dobyns and Headlee—3.

ABSENT ON LEAVE—Senators Edwards of St. Charles, Heaston and Jacobs—3.

SICK—Senator McGrath.

The title of the bill read and agreed to.

Senator Lloyd moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; which latter motion was agreed to.

Substitute for Senate joint and concurrent resolution No. 12, en-

titled "Joint and concurrent resolution providing for furnishing township clerks with the Statutes and Session Acts of the General Assembly," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dungan, Edwards of Lafayette, Gottschalk, Heard, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—27.

ABSENT ON LEAVE—Senators DeArmond, Dobyns, Edwards of St. Charles, Heaston, Headlee and Jacobs—6.

SICK—Senator McGrath.

The title of the resolution was read and agreed to.

Senator Cottey moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 84, entitled "An act to consolidate the permanent school fund and the seminary fund in certificates of indebtedness of the State, bearing six per cent. interest, and to provide for cancelling the State bonds and certificate of indebtedness now held in trust for said funds," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—30.

ABSENT ON LEAVE—Senators Edwards of St. Charles, Headlee and Jacobs—3.

SICK—Senator McGrath.

The title of the bill was agreed to.

Senator Morrisson moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; which latter motion prevailed.

On first reading of House bills, those of the following numbers and titles were taken up and read the first time, to wit:

House bill No. 71, entitled "An act for the relief of Daniel Baldridge of Sullivan county."

House bill No. 63, entitled "An act to amend section 1151, article 4, chapter 28 of the Revised Statutes, 'Circuit courts.'"

House bill No. 555, entitled "An act authorizing the formation of a police relief association in any city having over one hundred thousand inhabitants."

Substitute for House bill No. 224, entitled "An act to amend section two thousand one hundred and twenty-four (2124), chapter twenty-five (25) of the Revised Statutes of Missouri, 'Of damages.'"

Substitute for House bill No. 229, entitled "An act to amend section 7453, chapter 162, article 4 of the Revised Statutes of the State of Missouri, relating to township election precincts, judges of election and clerks of election."

House bill No. 331, entitled "An act to amend section two thousand six hundred and eighteen (2618), chapter thirty-eight (38) of the Revised Statutes of the State of Missouri, 1879, entitled 'Of habeas corpus.'"

Substitute for House bill No. 221, entitled "An act in relation to the filing of abstracts of judgments to secure liens in the cities in the State of Missouri having over one hundred thousand inhabitants, the duties of clerks in relation thereto, and the repeal of all acts or parts of acts inconsistent with this act."

Substitute for House bill No. 202, entitled "An act relating to Texas, Spanish and Indian cattle."

House bill No. 393, entitled "An act to amend an act entitled 'An to authorize counties to hold elections for the purpose of incurring indebtedness above the amount of the income and revenue for any one year, and to provide for the issuing and sale of bonds to cover the indebtedness so created,' approved March 19, 1879."

Substitute for House bill No. 66, entitled "An act to amend section three thousand one hundred and seventy (3170), article five (5), chapter forty-six (46) of the Revised Statutes, 'Of laws.'"

Substitute for House bills Nos. 279 and 230, entitled "An act to amend section 7514, article 11 of chapter 162 of the Revised Statutes of the State of Missouri, relating to roads and highways under township organization."

House bill No. 277, entitled "An act to amend sections 2560, 2561, 2562, 2563, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2580, chapter 37 of the Revised Statutes, in reference to guardians and curators."

House bill No. 581, entitled "An act to amend section 5250, chapter 94, Revised Statutes of 1879, entitled 'Of county boundaries.'"

Substitute for House bill No. 287, entitled "An act to provide for the punishment of embezzlement by persons acting in a fiduciary capacity."

House bill No. 140, entitled "An act to prevent the spread of contagious diseases among hogs, and other cattle."

House bill No. 260, entitled "An act concerning macadamized roads."

Substitute for House bill No. 297, entitled "An act to amend section 7445, article 4, chapter 162, Revised Statutes of Missouri, relating to method of holding township elections ;"

And substitute for House bill No. 164, entitled "An act to provide for the reimbursement to certain townships in certain counties of the State of Missouri, out of the State revenue, for moneys heretofore paid into the State Treasury belonging to said townships ;"

Also, substitute for House joint and concurrent resolution No. 1, memorializing Congress to oppose the passage of a proposed bankrupt law.

Senator Mackay submitted the following report from the Committee on Militia, which was read :

MR. PRESIDENT: Your Committee on Militia, to whom was referred Senate bill No. 192, entitled "An act to provide for greater security to the State arms and to encourage the organization of volunteer militia companies," beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 192 was taken up and ordered engrossed.

On motion of Senator Caldwell, the Senate adjourned until to-morrow morning at 10 o'clock.

FIFTY-SECOND DAY—WEDNESDAY, March 9.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

Senator McMahan presented a petition from citizens of Laclede county, Missouri, praying for a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors in this State; referred to Committee on Constitutional Amendments.

Senator Bland submitted the following report from the Committee on Insane Asylums, which was read :

MR. PRESIDENT: Your Committee on Insane Asylums, to whom was referred House bill No. 400, entitled "An act to amend section 4145, chapter 77, Revised Statutes, "Of asylums," beg leave to report that they have considered the same, and recommend that it do pass.

Senator Rogers submitted the following report from the Committee on State Lands :

MR. PRESIDENT: Your Committee on State Lands, to whom was referred Senate bill No. 237, entitled "An act relating to towns and cities exercising their municipal authority under special charters," beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 237 was taken up and recommitted to the Committee on Banks and Corporations.

Senator Edwards of Lafayette submitted the following report from the Committee on Claims, which was read :

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate bill No. 235, entitled "An act for the relief of Patrick H. Edwards, formerly Judge of the Fourteenth Judicial Circuit of the State of Missouri, and to appropriate money therefor," beg leave to report that they have considered the same, and a majority of your committee recommend that the substitute herewith submitted do pass.

Substitute for Senate bill No. 235, reported by the committee, was taken up, read first and second times, adopted and ordered engrossed.

Senator McMahan submitted the following report from the Committee on Agriculture :

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred substitute for House bill No. 47, entitled "An act regulating the height of hedge fences," beg leave to report that they have considered the same, and recommend that it do not pass.

Substitute for House bill No. 47 was taken up, and Senator Heaston offered the following amendment, which was read twice and agreed to:

Amend section 1 by striking out all of said section after the word "of," in third line, printed bill, and inserting in lieu thereof the following: "not more than five feet nor less than four feet, once in every two years; provided, that hedge fences inclosing orchards, house yards and stock yards shall be exempted from the provisions of this act."

The bill, as amended, was then read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell,

Cottay, DeArmond, Dungan, Edwards of Lafayette, Heard, Heaston, Lloyd, McGrath, Manistre, Manring, Pehle, Perkins and Rogers—19.

NOES—Senators Caldwell, Dobyns, Edwards of St. Charles, Gottschalk, Hutt, McMahan, Mabrey, Mackay, Morrisson, Rouse, Stephens and Walker—12.

ABSENT ON LEAVE—Senators Headlee, Jacobs and Naylor—3.

The title of the bill was read, and Senator Heaston offered the following amendment thereto, which was agreed to :

Amend title so as to read as follows : "An act requiring the owners of hedges along highways to have them cut down to the height of not more than five feet nor less than four feet, after said hedges are five years old, in certain cases."

Senator Bradley moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 241, entitled "An act to amend section 1547, article 8, Revised Statutes, relating to offenses against public morals and decency, or the public police and miscellaneous offenses," and that unless objections be made he would sign the same, to the end that it may become a law. The bill was read at length by the Secretary; no objection being made the presiding officer, in the presence of the Senate, in open session, and no other business intervening, signed said bill; said bill was also signed by the Secretary.

The President also directed the Secretary to read at length House bill No. 187, entitled "An act to amend section 3894, chapter 65, Revised Statutes of the State of Missouri, entitled of sheriffs and their deputies," and stated that, unless objection be made, he would sign the same, to the end that it may become a law. Said bill was so read; no objection being made, the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto; said bill was also signed by the Secretary.

The President also directed the Secretary to read at length House bill No. 206, entitled "An act relating to the shipment of live stock, grain, and other articles of trade," and stated that, unless objection be made, he would sign the same, to the end that it may become a law. Said bill was then read at length; no objection being made, the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto; said bill was also signed by the Secretary.

On motion of Senator Morrisson, the Senate went into Committee of the Whole on Senate bill No. 67.

When the committee rose Senator Hutt submitted the following report:

MR. PRESIDENT: Your Committee of the Whole Senate, to whom was referred Senate bill No. 67, entitled "An act to revise and amend chapter 150 of the General Statutes of Missouri, 'Of schools,' " beg leave to report that they have considered the same, and report the accompanying substitute therefor, and recommend that the substitute be adopted.

The substitute for Senate bill No. 67, reported by the committee, was read first and second times, adopted and ordered engrossed.

Senator DeArmond submitted the following report from Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 247, entitled "An act to provide for the indexing of the minutes of judges of courts of record in certain cases," beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 247 was taken up and ordered engrossed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary to whom was referred Senate bill No. 248, entitled "An act as to searches and certificates as to judgments," beg leave to report that they have considered the same, and a majority of your committee instruct me to report the same back with the recommendation that it do pass.

Senate bill No. 248 was taken up and ordered engrossed.

Senator Heaston submitted the following report from the Committee on Ways and Means, which was read:

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 226, entitled "An act to amend section 6314, chapter 129, Revised Statutes, in relation to merchants' licenses," beg leave to report that they have considered the same, report the following substitute, and recommend that it do pass.

Substitute for Senate bill No. 226, reported by the committee, was taken up, read first and second times, adopted and ordered engrossed.

The following messages were received from the House of Representatives through Mr. Hawley, Chief Clerk:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed House Bill No. 185, enti-

tled "An act creating a board of health for the State of Missouri, defining its duties and powers and fixing the compensation of its officers:"

Also, Substitute for House Bill No. 307, entitled "An act to amend section 1167, Revised Statutes, relating to the time of holding courts in the 23rd Judicial Circuit," in which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed Senate Bill No. 13, entitled "An act to repeal section 1804, article 15, chapter 24, Revised Statutes, concerning 'Crimes and criminal procedure:'"

Also, Senate Bill No. 100, entitled "An act to amend section 4200, chapter 80, Revised Statutes, entitled 'Of billiard and other tables,'" with amendment:

Also, Senate Bill No. 95, entitled "An act in relation to the construction and maintenance of aprons or chutes to facilitate the passage of fish over dams and other obstructions."

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Substitute for House bill No. 155, entitled "An act to amend sections 96 and 97, article 5, chapter 1. Revised Statutes of 1879, relating to abatement of actions of tort," beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendment.

Substitute for House Bill No. 155 was taken up and the following amendment, reported by the committee, was adopted:

Amend by prefixing to the first line, after the enacting clause, the following: "Section 1;" and by prefixing to the 13th line, "Section 2;" and by inserting "the" between "with" and "like" in the eleventh line; and by striking out "on" between "founded" and "contract" in the 12th line, and inserting "upon" in lieu thereof; and by striking out "and" between "slander" and "libel" in the 23d line and inserting "or" in lieu thereof; and by striking out "and" between "word" and "between" in the 19th line of the bill and inserting "or" in lieu thereof.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 376, entitled "An act authorizing the county courts of all counties in this state which are within the territorial jurisdiction of the St. Louis Court of Appeals to furnish the courts of record of said counties with copies of the reports of the decisions of the Court

of Appeals," beg leave to report that they have considered the same, and recommend that it do pass.

Senator Edwards of St. Charles submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT : Your Committee on Engrossed Bills to whom was referred Senate bill No. 192, entitled "An act to provide for greater security to the State arms and to encourage the organization of volunteer militia companies," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senate Bill No. 192 was taken up and made the special order for to-morrow morning at 11 o'clock.

On second reading of House bills, the following were read and referred :

House Joint and Concurrent Resolution No. 1, entitled "Substitute for House joint and concurrent resolution No. 1, memorializing Congress to oppose the passage of a proposed bankrupt law," to Committee on Federal Relations.

House Bill No. 63, entitled "An act to amend section 1151, article 4, chapter 23, Revised Statutes, 'Circuit courts,'" to Committee on Judiciary.

House bill No. 71, entitled "An act for the relief of Daniel Baldridge, of Sullivan county, and to appropriate money therefor," to Committee on Claims.

Substitute for House bill No. 86, entitled "An act to amend section three thousand one hundred and seventy (3170), article five (5), chapter forty-six (46), Revised Statutes, 'Of laws,'" to Committee on Judiciary.

House bill No. 140, entitled "An act to prevent the spread of contagious diseases among hogs and other cattle," to Committee on Agriculture.

Substitute for House bill No. 164, entitled "An act to provide for the reimbursement to certain townships in certain counties of the State of Missouri, out of the State revenue, for moneys heretofore paid into the State treasury belonging to said townships," to Committee on Ways and Means.

Substitute for House bill No. 202, entitled "An act relating to Texas, Spanish and Indian cattle," to Committee on Agriculture.

Substitute for House bill No. 221, entitled "An act in relation to filing of abstracts of judgments to secure liens in the cities in the State of Missouri having over one hundred thousand inhabitants, the duties

of clerks in relation thereto, and the repeal of all acts or parts of acts inconsistent with this act," to Committee on Judiciary.

Substitute for House bill No. 224, entitled "An act to amend section two thousand one hundred and twenty-four (2124), chapter twenty-five (25) of the Revised Statutes of Missouri, 'Of damages,'" to Committee on Judiciary.

Substitute for House bill No. 229, entitled "An act to amend section 7453, chapter 162, article 4 of the Revised Statutes of Missouri, relating to township election precincts, judges of election and clerks of election," to Committee on Township Organization.

House bill No. 237, entitled "An act to amend sections 2560, 2561, 2562, 2563, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2580, chapter 37, Revised Statutes, in reference to guardians and curators," to Committee on Judiciary.

Substitute for House bill No. 297, entitled "An act to amend section 7445, article 4, chapter 162, Revised Statutes, relating to method of holding township elections," to Committee on Township Organization.

Substitute for House bill No. 287, entitled "An act to provide for the punishment of embezzlement by persons acting in a fiduciary capacity," to Committee on Criminal Jurisprudence.

Substitute for House bills Nos. 279 and 330, entitled "An act to amend section 7514, article 11, chapter 162, Revised Statutes, relating to roads and highways under township organization," to Committee on Township Organization.

House bill No. 331, entitled "An act to amend section two thousand six hundred and eighteen (2618), chapter thirty-eight (38) of the Revised Statutes of the State of Missouri, 1879, entitled 'Of habeas corpus,' " to Committee on Criminal Jurisprudence.

House bill No. 393, entitled "An act to amend an act entitled 'An act to authorize counties to hold elections for the purpose of incurring indebtedness above the amount of the income and revenue for any one year, and to provide for the issue and sale of bonds to cover the indebtedness so created,' approved March 19, 1879," to Committee on Ways and Means.

House bill No. 460, entitled "An act concerning macadamized roads," to Committee on Roads and Highways.

House bill No. 555, entitled "An act authorizing the formation of a police relief association in any city having over one hundred thousand inhabitants," to Committee on Criminal Jurisprudence.

House bill No. 581, entitled "An act to amend section 5250, chapter 94, Revised Statutes of 1879, entitled 'Of county boundaries,' to Committee on County Boundaries.

On third reading of House bills, House bill No. 400, entitled "An act to amend section 4145, chapter 77, Revised Statutes, 'Of asylums,'" was taken up, read third time, and failed to pass by the following vote:

AYES—Senators Bland, Caldwell, Mackey and Rouse—4.

NOES—Senators Allen, Bryant, Cottey, DeArmond, Dobyns, Gottschalk, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Manistre, Manring, Morrisson, Pehle, Perkins, Stephens and Walker—19.

ABSENT—Senators Bradley, Byrns, Cabell, Dungan, Edwards of Lafayette, Edwards of St. Charles, Headlee, Jacobs, McGrath, Naylor and Rogers—11.

Senator Heaston moved to reconsider the vote by which the bill failed to pass. Carried.

The question then recurring upon the passage of the bill, it passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Heard, Heaston, Hutt, Lloyd, McGrath, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Perkins, Rogers, Rouse, Stephens and Walker—28.

NOES—Senators Allen, McMahan and Pehle—3.

ABSENT ON LEAVE—Senators Edwards of St. Charles, Headlee and Jacobs—3.

The title of the bill was read and agreed to.

Senator Cottey moved that when the Senate adjourn it adjourn until to-morrow morning at 10 o'clock; which was agreed to.

On motion of Senator Bradley, the Senate adjourned.

FIFTY-THIRD DAY—THURSDAY, March 10.

MORNING SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

Senator Dobyns presented two petitions from citizens of Shelby county, Missouri, praying for a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors; referred to Committee on Constitutional amendments.

Senator Stephens presented a petition from citizens of Boone county, Missouri, praying for a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors in this State; referred to Committee on Constitutional Amendments.

Senator Hutt submitted the following reports from the Committee on Engrossed Bills, which were read :

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred substitute for Senate bill No. 92, entitled "An act to enable insurance companies, other than life, to surrender their special charters and accept in lieu thereof the provisions of the general insurance statutes," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 138, entitled "An act to amend section 838 and to repeal sections 839 and 840, article 3, chapter 21, Revised Statutes, entitled 'Railroad classification, charges, commissioners,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Heard submitted the following report from the Committee on Banks and Corporations:

MR. PRESIDENT: Your Committee on Banks and Corporations, to whom was referred Senate bill No. 169, entitled "An act to amend section 790, chapter 21, article 2, Revised Statutes, entitled 'Railroad Companies,'" beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 169 was taken up and ordered engrossed.

Senator Heard submitted the following report from the Committee on Banks and Corporations, which was read:

MR. PRESIDENT: Your Committee on Banks and Corporations, to whom was referred substitute for House bill No. 215, entitled "An act concerning amendment of articles of association of private corporations," beg leave to report that they have considered the same, and recommend that it do pass.

Senator Headlee submitted the following report from the Committee on Federal Relations:

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate concurrent resolution No. 1, memorializing Congress to appropriate money to improve the Missouri river at Jefferson City, Missouri, beg leave to report that they have considered the same, and recommend that it do pass.

Senate concurrent resolution No. 1, was taken up and ordered engrossed.

Substitute for Senate bill No. 92, entitled "An act to enable insurance companies other than life to surrender their special charters and accept in lieu thereof the provisions of the general insurance statutes," was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Cabell, Cottey, Dobyns, Dungan, Gottschalk, Heard, Lloyd, McGrath, McMahan, Mabrey, Mackay, Morrisson, Naylor, Perkins, Rogers, Stephens and Walker—20.

NOES—Senators Allen, Bland, Caldwell, DeArmond, Edwards of Lafayette, Headlee, Heaston, Hutt, Jacobs, Manistre, Manring, Pehle and Rouse—13.

ABSENT ON LEAVE—Senator Edwards of St. Charles.

The title of the bill was read and agreed to.

Senator Heard moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Edwards of St. Charles was granted leave of absence until next Monday.

Senate bill No. 138 was taken up, and Senator Hutt moved to reconsider the vote by which the bill was ordered to engrossment; which was agreed to.

The bill was then recommitted to the Committee on Internal Improvements.

House bill No. 185, entitled "An act creating a board of health for the State of Missouri, defining its duties and powers, and fixing the compensation of its officers," was taken up and read first time.

Substitute for House bill No. 307, entitled "An act to amend section 1167, chapter 28, article 4 of the Revised Statutes of Missouri, 'Of courts of record,'" was taken up and read first time.

House bill No. 376 was taken up and recommitted to the Committee on Judiciary.

Substitute for House bill No. 155, entitled "An act to amend sec-

tions 96 and 97, article 5, chapter 1, Revised Statutes," was taken up, read third time and failed to pass by the following vote:

AYES—Senators Bradley, Bland, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Heaston, Lloyd, Mabrey, Mackay and Manring—11.

NOES—Senators Allen, Bryant, Byrns, Cabell, Caldwell, Cottey, Gottschalk; Headlee, Heard, Hutt, McGrath, McMahan, Manistre, Morrisson, Pehle, Perkins, Rogers, Rouse and Stephens—19.

ABSENT ON LEAVE—Senator Edwards of St. Charles.

ABSENT—Senators Naylor and Walker—2.

SICK—Senator Jacobs.

Substitute for House bill No. 215, entitled "An act concerning amendment of articles of association of private corporations," was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Headlee, Heard, Heaston, Lloyd, McGrath, McMahan, Mabrey, Mackay, Morrisson, Naylor, Perkins, Rogers, Stephens and Walker—21.

NOES—Senators Allen, DeArmond, Dobyns, Dungan, Gottschalk, Hutt, Manistre, Manring and Pehle—9.

ABSENT ON LEAVE—Senator Edwards of St. Charles.

ABSENT—Senators Edwards of Lafayette and Rouse—2.

SICK—Senator Jacobs.

The title of the bill was agreed to.

Senator Heard moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Heard submitted the following report from the Committee on Banks and Corporations, which was read:

MR. PRESIDENT: Your Committee on Banks and Corporations, to whom was referred substitute for House bill No. 285, entitled "An act to amend sections 4937 and 4938, Revised Statutes, 'Of cities of the fourth class,'" beg leave to report that they have considered the same, and recommend that it do pass.

Substitute for House bill No. 285 was taken up and laid over informally.

Senator Cottey moved that when the Senate adjourn it adjourn until 2½ o'clock P. M., which was agreed to.

On motion of Senator Cottey, the Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Senator Mackay called up Senate bill No. 192, and moved to reconsider the vote by which it was ordered engrossed; which was agreed to.

Senator Mackay then offered the following amendment, which was read and ordered printed:

An act, to provide for the care and keeping of the State arms, accoutrements and military property, and to appropriate money therefor. *Be it enacted by the General Assembly of the State of Missouri, as follows:*

SECTION 1. For the purpose of properly caring for the State arms, accoutrements and military property, and affording protection and security therefor, each cavalry company and each battery of artillery, organized under the militia laws of the State, shall, upon the requisition of the company or battery commander, and upon the approval of the proper battalion or regimental and brigade officers and the commander-in-chief, receive, in quarterly payments the sum of three hundred dollars per annum. Each company of infantry so organized shall, in like manner and for the same purpose, receive two hundred dollars per annum: *Provided, however*, such organization shall receive said sums or such proportional lesser sums as may be necessary to prevent such aggregate sum from exceeding the appropriation hereinafter made.

SEC. 2. There is hereby appropriated, out of any money in the revenue fund not otherwise appropriated, the sum of ten thousand dollars for the purposes designated in the foregoing section.

The following messages were received from the House of Representatives through Mr. Hawley, Chief Clerk:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed House bill No. 405, entitled "An act to amend section 1549, article 8, chapter 24, Revised Statutes, concerning 'Offenses against public morals and decency or the public police and miscellaneous offenses:'"

Also, House bill No. 349, entitled "An act to amend section 5839, chapter 117, article 1, relating to inspection of petroleum:"

Also, House bill No. 451, entitled "An act conferring upon and de-

fining the rights of companies formed for the purpose of supplying cities and towns with pure water :”

Also, House bill No. 374, entitled “An act to encourage an increase of the public school fund of the State by gift, grant or devise,” etc. :

Also, substitute for House bill No. 387, entitled “An act to authorize and enable the respective county courts of the counties in the State to purchase real estate in certain cases and dispose of the same :”

Also, House bill 329, entitled “An act to amend section 2302, Revised Statutes, entitled ‘Grand and petit juries :’ ”

Also, House bill No. 441, “An act to amend section 5998, article 3, chapter 119, ‘Insurance other than life :’ ”

Also, House bill No. 406, “An act to amend section 3838, chapter 62, Revised Statutes ‘Of recorder of deeds :’ ”

Also, House bill No. 670, “An act to amend article eight of chapter 145, Revised Statutes 1879, by adding a new section thereto, concerning the assessment and taxation of railroads :”

Also, House bill No. 586, “An act to subject the taking of changes of venue in criminal causes from one court to another in the same county to the provisions of the General Statutes of Missouri in reference to the taking of changes of venue in criminal causes :”

Also, House bill No. 536, “An act relating to the duties of county clerks and other officers in counties under township organization :”

Also, substitute for House bills Nos. 343, 416, 493, 505, 527 and 436, entitled “An act to amend section 7446, article 4, sections 7455 and 7457 article 5, section 7470, article 7, section 7485, article 9, section 7490 and 7491, article 11, and sections 7535 and 7538, article 13, chapter 162, Revised Statutes, ‘Township organization :’ ”

Also, House bill No. 286, “An act to amend section 7495, article 11, chapter 162, Revised Statutes, entitled ‘Of township organization,’ relating to roads and highways :”

Also, substitute for House bill No. 530, entitled “An act for the relief of John Finn, late sheriff of the city of St. Louis, and to allow him certain credits :”

Also, House bill No. 444, entitled “An act to provide for disposition of surplus fund accruing from the sale of real estate of non-residents :”

Also, House bill No. 689, entitled “An act to regulate the expense and supervision of reclaiming contiguous bodies of swamp and overflowed lands situate in two or more counties in this State.”

In which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT : I am instructed by the House to inform the Senate that the House has taken up and passed Senate bill No. 164, “An

act to amend section 1158, article 4, chapter 23, Revised Statutes, 'Of courts of record:'

Also, Senate bill No. 96, "An act to appropriate money for the payment of the National Bank of Commerce of the city of New York, fiscal agent of the State, for the payment of bonds of the State and interest coupons as they fell due from the year 1872 to December 31st, 1880," with amendment:

Also, Senate bill No. 28, "An act to discourage the keeping of useless and sheep-killing dogs and provide indemnity for damages done by same," with amendments.

In which the concurrence of the Senate is respectfully requested.

Senator Bradley submitted the following reports from the Committee on Enrolled Bills, which were read :

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 95, entitled "An act in relation to the construction and maintenance of aprons or chutes to facilitate the passage of fish over dams and other obstructions."

MR. PRESIDENT: Your Committee on Enrolled bills have carefully examined and find truly enrolled Senate bill No. 10, entitled "An act to repeal section 1804 of article 15, chapter 24, Revised Statutes, concerning 'Crimes and criminal procedure.'"

The president announced that all other business would be suspended, and directed the secretary to read at length the following named bills: Senate bill No. 95, entitled "An act in relation to the construction and maintenance of aprons or chutes to facilitate the passage of fish over dams and other obstructions;" and Senate bill No. 10, entitled "An act to amend section 1307 of article 3 of chapter 24 of the Revised Statutes of Missouri, entitled 'Crimes and criminal procedure;'" and stated that, unless objections be made, he would sign said bills, to the end that each may become a law.

Senate bill No. 95 was read at length by the secretary, no objection being made, and the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto; said bill was also signed by the secretary.

Senate bill No. 10 was read at length by the secretary, no objection being made, and the presiding officer in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto; said bill was also signed by the secretary.

And after being signed by the Speaker of the House of Representatives, said bills were this day presented to the Governor for his approval by the secretary.

Senator Hutt submitted the following report from the Committee on Engrossed Bills, which was read :

Senator Hutt submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred substitute for Senate bills Nos. 3, 4, 12, 15, 21, 32, 38, 54, 59, 79, 109, 127 and 131, entitled "An act to revise and amend chapter 145, Revised Statutes, entitled 'Of the assessment and collection of the revenue,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Substitute for Senate bills Nos. 3, 4, 12, 15, 21, 32, 38, 54, 59, 79, 109, 127 and 131, entitled "An act to revise and amend chapter 145 of the Revised Statutes of Missouri, entitled 'Of the assessment and collection of the revenue;'" was taken up read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McGrath, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—29.

NOES—Senators Dungan, McMahan and Mabrey—3.

ABSENT ON LEAVE—Senator Edwards of St. Charles.

SICK—Senator Jacobs.

The emergency clause of said bill was passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McGrath, McMahan, Mackay, Manistre, Manring, Morrison, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—30.

NOES—Senators Dungan and Mabrey—2.

ABSENT ON LEAVE—Senator Edwards of St. Charles.

SICK—Senator Jacobs.

The title of the bill was read and agreed to.

Senator Cottey moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 333, entitled "An act to amend sections 985 and 986, article 10, chapter 22, Revised Statutes, entitled 'Of costs in civil cases,'" beg leave to report that they have considered the same, and recommend that it do pass with accompanying amendment.

House bill No. 333 was taken up, and the following amendment reported by the committee, adopted:

Amend by striking out of said act the words and figures "article ten (10)."

The bill, as amended, was read third time and passed by the following vote:

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackey, Manistre, Manring, Morrison, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—31.

ABSENT—Senator Bradley.

ABSENT ON LEAVE—Senator Edwards of St. Charles.

SICK—Senator Jacobs.

The title of the bill was read.

Senator Byrns offered the following amendment, which was read:

Amend title by striking out the words and figures "article ten (10)."

The title, as amended, read and agreed to.

Senator Byrns moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 555, entitled "An act authorizing the formation of police relief association in any city having over one hundred thousand inhabitants," beg leave to report that they have considered the same and recommend that it do pass.

House bill No. 555, entitled "An act authorizing the formation of a police relief association in any city having over one hundred thousand inhabitants," was taken up, read the third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, McGrath, McMahan, Mabrey, Mackay,

Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse, Stephens and Walker—28.

NOES—Senators Heaston, Hutt, Lloyd and Perkins—4.

ABSENT ON LEAVE—Senators Edwards of St. Charles and Jacobs—2.

The title of the bill was then read and agreed to.

Senator Byrns moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; which latter motion prevailed.

Senator Lloyd submitted the following report from the Committee on Internal Improvements, which was read:

MR. PRESIDENT: Your Committee on Internal Improvements, to whom was referred Senate bill No. 138, entitled "An act to amend section 838, and to repeal sections 839 and 840 of article 3, chapter 21 of the Revised Statutes of Missouri, entitled 'Railroad classification—charges—commissioners,'" beg leave to report that they have considered the same, and recommend that the accompanying substitute do pass.

Substitute for Senate bill No. 138, reported by the committee, was taken up, read first and second times, adopted and ordered engrossed.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read:

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred substitute for House bills Nos. 19, 29, 36, 42, 50, 52, 72, 80 and 129, entitled "An act to amend sections 6685, 6688, 6695, 6699, 6705, 6707, 6716, 6717 and 6718, article 2, chapter 145, Revised Statutes, entitled 'Assessors and the assessment of property, by changing the time of assessment from August 1st to June 1st, and to provide for the listing and assessment of real estate biennially,'" beg leave to report that they have considered the same, and recommend that it do pass.

Substitute for House bills Nos. 19, 29, 36, 42, 50, 52, 72, 80 and 129, entitled "An act to amend sections 6685, 6688, 6695, 6699, 6705, 6707, 6716, 6717 and 6718, article 2, chapter 145, Revised Statutes, entitled 'Assessors and the assessment of property,' by changing the time of assessment from August 1st to June 1st, and to provide for the listing and assessment of real estate biennially," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackey, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—32.

ABSENT ON LEAVE—Senators Edwards of St. Charles and Jacobs—2.

The emergency clause was passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—31.

NO—Senator Manistre.

ABSENT ON LEAVE—Senator Edwards of St. Charles.

SICK—Senator Jacobs.

The title of the bill was read and agreed to.

Senator Pehle moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table ; the latter motion prevailed.

Senator Heaston called up Senate Bill No. 145, entitled "An act to provide for the selection of a uniform system of text-books for the use of the public schools of the State, and to regulate and control the introduction and sale of the same," which was read third time and failed to pass by the following vote :

AYES—Senators Bland, Caldwell, DeArmond, Headlee, Heaston, Hutt, Lloyd, Mackey, Manring, Morrison, Rouse and Stephens—12.

NOES—Senators Allen, Bradley, Byrns, Cabell, Cottey, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Heard, McGrath, McMahan, Mabrey, Manistre, Naylor, Pehle, Perkins, Rogers and Walker—19.

ABSENT—Senator Bryant.

ABSENT ON LEAVE—Senator Edwards of St. Charles.

SICK—Senator Jacobs.

Senator Bradley called up Substitute for House Bill No. 285, entitled "An act to amend sections four thousand, nine hundred and thirty-seven (4937) and four thousand, nine hundred and thirty-eight (4938), article five (5), chapter eighty-nine (89) of Revised Statutes, 'Of cities of the the fourth class,' " which was read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Headlee, Heard, Heaston, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackey, Manistre, Manring, Morrison, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—29.

NO—Senator Gottschalk.

ABSENT—Senator Cabell.

ABSENT ON LEAVE—Senator Edwards of St. Charles.

SICK—Senator Jacobs.

The emergency clause of said bill was passed by the following vote :

AYES—Senators Allen, Bradley, Byrns, Bland, Caldwell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Headlee, Heard, Heaston, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackey, Manistree, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—28.

NOES—Senators Dobyms and Gottschalk—2.

ABSENT—Senators Bryant and Cabell—2.

ABSENT ON LEAVE—Senator Edwards of St. Charles.

SICK—Senator Jacobs.

The title of the bill was read and agreed to.

Senator Bradley moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Substitute for House bill No. 287, entitled "An act to provide for the punishment of embezzlement by persons acting in a fiduciary capacity," beg leave to report that they have considered the same, and recommend that it do not pass.

Substitute for House Bill No 287 was taken up and, on motion of Senator Byrns, indefinitely postponed.

On first reading of House bills, the following were taken up and read :

House bill No. 286, entitled "An act to amend section seven thousand, four hundred and ninety-five (7495), article eleven (11), chapter one hundred and sixty-two (162), Revised Statutes, entitled 'Of township organization,' relating to roads and highways."

House bill No. 329, entitled "An act to amend section 2802, chapter 43, Revised Statutes, relating to 'Grand and petit juries.'"

House bill No. 374, entitled "An act to encourage and increase the public school fund of the State, by grant, gift or devise, as provided for in section six (6), article eleven (11) of the Constitution of Missouri, and to provide for its safe and permanent investment."

Substitute for House bill No. 387, entitled "An act to authorize and enable the respective county courts of the counties in this State to purchase real estate, in certain cases, and dispose of the same."

Substitute for House bills Nos. 343, 416, 493, 505, 527 and 436, entitled "An act to amend section 7446, article 4; sections 7455, 7457, article 5; section 7470, article 7; section 7485, article 9; sections 7490 and 7491, article 11; section 7535 and section 7538, article 13, all in chapter 162 of the Revised Statutes of Missouri, relating to township organization."

House bill No. 349, entitled "An act to amend section 5839 of the Revised Statutes, chapter 117, article 1, 'Relating to the inspection of petroleum.'"

House bill No. 405, entitled "An act to amend section 1549, article 8, chapter 24, Revised Statutes of Missouri, concerning offenses against public morals and decency, or the public police and miscellaneous offenses."

House bill No. 406, entitled "An act to amend section 3838, chapter 62, Revised Statutes of Missouri, entitled 'Of recorder of deeds.'"

House bill No. 441, entitled "An act to amend section 5998, article 3 of chapter 119 of the Revised Statutes of Missouri, entitled 'Insurance other than life.'"

House bill No. 444, entitled "An act entitled An act to provide for the disposition of surplus funds accruing from the sale of real estate of non-residents."

House bill No 451, entitled "An act conferring upon and defining the rights of companies formed for the purpose of supplying cities and towns with pure water."

Substitute for House bill No. 530, entitled "An act for the relief of John Finn, late Sheriff of the City of St. Louis, and to allow him certain credits."

House bill No. 536, entitled "An act entitled an act relating to the duties of county clerks and other officers in counties under township organization."

House bill No. 586, entitled "An act to subject the taking of changes of venue in criminal causes from one court to another in the same county to the provisions of the general statutes of Missouri, in reference to the taking of changes of venue in criminal causes."

House bill No. 670, entitled "An act to amend article eight of chapter one hundred and forty-five of the Revised Statutes of Missouri of 1879, by adding a new section thereto, concerning the assessment and taxation of railroads."

And House bill No. 689, entitled "An act to regulate the expense and supervision of reclaiming contiguous bodies of swamp and overflowed lands situate in two or more counties in this State."

On motion of Senator Dobyns, the Senate adjourned.

FIFTY-FOURTH DAY—FRIDAY, March 11.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Perkins submitted the following report from the Committee on Roads and Highways, which was read :

MR. PRESIDENT: Your Committee on Roads and Highways to whom was referred House bill No. 460, entitled "An act concerning macadamized roads," beg leave to report that they have considered the same and recommend that it do pass.

Senator Dungan submitted the following report from the Committee on County Boundaries, which was read :

MR. PRESIDENT: Your Committee on County Boundaries, to whom was referred House bill No. 581, entitled "An act to amend section 5250, chapter 94, Revised Statutes of 1879, entitled 'Of county boundaries,'" beg leave to report that they have considered the same, and I am instructed by a majority of your committee to report the same back with the recommendation that it do pass.

Senator McMahan submitted the following report from the Committee on Agriculture, which was read :

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred substitute for House bill No. 202, entitled "An act relating to Texas, Spanish and Indian cattle," beg leave to report that they have considered the same, and recommend that it do pass.

Senator Perkins submitted the following reports from the Committee on Roads and Highways, which were read :

MR. PRESIDENT: Your Committee on Road and Highways, to whom was referred substitute for House bill No. 92, entitled "An act to amend section 6942, chapter 147, Revised Statutes, relating roads and highways," beg leave to report that they have considered the same, and recommend that it do pass.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate bill No. 230, entitled "An act to amend section 6938, chapter 147, Revised Statutes, entitled 'Of roads and highways,'"

beg leave to report that they have considered the same, and recommend that it do pass.

Senate bills Nos. 92 and 230 were ordered engrossed.

Senate bill No. 101, entitled "An act to amend section twenty-two (22), article one, chapter one, Revised Statutes, relating to administration," was taken up, together with the Governor's objections thereto; which were read.

The question being "shall the bill pass, the objections of the Governor thereto notwithstanding?" the roll being called the following Senators voted in the affirmative:

Senators Allen, Bradley, Bryant, Bland, Cabell, Caldwell, Cottey, DeAmend, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, McMahan, Mabrey, Mackay, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—28.

Senators voting in the negative—Senators Lloyd and Manistre—2.

ABSENT ON LEAVE—Senators Edwards of St. Charles and McGrath—2.

ABSENT—Senator Byrns.

SICK—Senator Jacobs.

I, Robert A. Campbell, President of the Senate of the Thirty-first General Assembly, hereby certify that Senate bill No. 101, entitled "An act to amend section twenty two (22), article one, chapter one of the Revised Statutes of Missouri, relating to administration," having passed both Houses of the General Assembly, and having been returned to the Senate by the Governor without his approval and with his objections thereto, which objections were entered at large upon the journal, the Senate proceeded to consider the pending question, which was "shall the bill pass, the objections of the Governor thereto notwithstanding?" and two-thirds of all the Senators elect having voted in the affirmative, as appears by the within and foregoing roll, ayes 28 and noes 2, the same was passed as required by the Constitution of this State and the rules of the Senate.

Given under my hand this 11th day of March, A. D. 1881.

[Signed]

ROBERT A. CAMPBELL,
President of the Senate.

The following messages were received from the House of Representatives through Mr. Hawley, Chief Clerk:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed House bill No. 341, entitled "An act fixing the number of directors of public school boards and prescribing the qualifications of electors therefor:"

Also, substitute for House joint and concurrent resolution No. 33, submitting an amendment to section 11, article 10 of the Constitution relating to taxation, to the qualified voters of the State of Missouri, to be voted on at the general election to be held on the first Tuesday after the first Monday in November, in the year 1882:”

Also, substitute for House bill No. 412, “An act to amend section 1145 of article 4, chapter 23 of the General Statutes of 1879, entitled ‘Of courts of record.’”

Also, substitute for House bill No. 439, “An act to amend section six thousand nine hundred and eighty-eight (6988) of chapter one hundred and forty-eight (148) of the Revised Statutes of Missouri, ‘Of salaries.’”

Also, substitute for House bill No. 313, “An act to amend section three thousand and ninety eight (3098) of chapter forty-five (45) of the Revised Statutes, concerning ‘Landlords and tenants,’” in which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed Senate bill No. 147, entitled “An act to provide for the submission of constitutional amendments to a vote of the people:”

Also, Senate concurrent resolution No. 16, submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof, concerning the judicial department,” with amendment.

An executive message was received from the Governor through his private Secretary, Mr. Farr.

On motion of Senator Manring, the Senate went into executive session at 10:35 A. M.

At 11 A. M. the Senate resumed its regular session.

The President called the Senate to order.

On second reading of House bills, the following were read and referred:

House bill No. 286, entitled “An act to amend section seven thousand four hundred and ninety-five (7495), article eleven (11), chapter one hundred and sixty-two (162), Revised Statutes of Missouri, entitled ‘Of township organization,’ relating to roads and highways;” to Committee on Roads and Highways.

House bill No. 329, entitled “An act to amend section 2802, chapter 43, Revised Statutes of the State of Missouri, relating to ‘Grand and petit juries;’” to Committee on Judiciary.

Substitute for House bills 343, 416, 493, 505, 527 and 436, entitled “An act to amend section 7446, article 4; sections 7455, 7557, article 5;

section 7470, article 7; section 7485, article 9; sections 7490 and 7491, article 11; section 7535 and section 7538, article 13, all in chapter 162 of the Revised Statutes of Missouri, relating to township organization;" to Committee on Township Organization.

House bill No. 349, entitled "An act to amend section 5839 of the Revised Statutes, chapter 117, article 1, relating to the inspection of petroleum;" to Committee on Criminal Jurisprudence.

House bill No. 374, entitled "An act to encourage and increase the public school fund of the State by grant, gift or devise, as provided for in section six (6), article 11 of the Constitution of Missouri, and to provide for its safe and permanent investment;" to Committee on Agriculture.

Substitute for House bill No. 387, entitled "An act to authorize and enable the respective county courts of the counties in this State to purchase real estate, in certain cases, and dispose of the same;" to Committee on Judiciary.

House bill No. 405, entitled "An act to amend section 1549, article 8, chapter 24, Revised Statutes of Missouri, concerning offenses against public morals and decency, or the public police and miscellaneous offenses;" to Committee on Criminal Jurisprudence.

House bill No. 406, entitled "An act to amend section 3838, chapter 62, Revised Statutes of Missouri, entitled 'Of recorder of deeds,'" to Committee on Judiciary.

House bill No. 451, entitled "An act conferring upon and defining the rights of companies formed for the purpose of supplying cities and towns with pure water;" to Committee on Banks and Corporations.

House bill No. 441, entitled "An act to amend section 5998, article 3 of chapter 119 of the Revised Statutes of Missouri, entitled 'Insurance other than life,'" to Committee on Insurance.

House bill No. 444, entitled "An act entitled 'An act to provide for the disposition of surplus fund accruing from the sale of real estate of non-residents,'" to Committee on Ways and Means.

Substitute for House bill No. 530, entitled "An act for the relief of John Finn, late sheriff of the city of St. Louis, and to allow him certain credits;" to Committee on Claims.

House bill No. 536, entitled "An act entitled an act relating to the duties of county clerks and other officers in counties under township organization;" to Committee on Township Organization.

House bill No. 586, entitled "An act to subject the taking of changes of venue in criminal causes from one court to another in the same county to the provisions of the General Statutes of Missouri in reference to the taking of changes of venue in criminal causes;" to Committee on Criminal Jurisprudence.

House bill No. 670, entitled "An act to amend article 8 of chapter 145 of the Revised Statutes of Missouri of 1879, by adding a new section thereto, concerning the assessment and taxation of railroads;" to Committee on Ways and Means.

House bill No. 689, entitled "An act to regulate the expense and supervision of reclaiming contiguous bodies of swamp and overflowed lands situate in two or more counties in this State;" to Committee on Swamp Lands.

Substitute for House bill No. 307, entitled "An act to amend section 1167, chapter 23, article 4, of the Revised Statutes of Missouri, 'Of courts of record;'" to Committee on Judiciary.

House bill No. 185, entitled "An act creating a board of health for the State of Missouri, defining its duties and powers, and fixing the compensation of its officers;" to Committee on Criminal Jurisprudence.

Senator Rogers called up Senate bill No. 92, with the substitute offered by Senator Mackay on yesterday; the question being on the adoption of the substitute, it was read first and second times, adopted, and ordered engrossed.

On third reading of House bills, House bill No. 92, entitled "An act to amend chapter 147, section 6942, Revised Statutes of State of Missouri;" was taken up read third time and failed to pass by the following vote;

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Cottey, Dobyns, Dungan, Heard, Heaston, Hutt, McGrath, Mackay, Perkins and Rogers—15.

NOES—Senators Allen, Caldwell, DeArmond, Edwards of Lafayette, Headlee, Lloyd, McMahan, Mabrey, Manistre, Manring, Morrison, Pehle, Rouse, Stephens and Walker—15.

ABSENT ON LEAVE—Senators Edwards of St. Charles and Jacobs—2.

ABSENT—Senators Gottschalk and Naylor—2.

Substitute for House bill No. 202, entitled "An act relating to Texas, Spanish and Indian cattle;" was taken up, read third time and failed to pass by the following vote:

AYES—Senators Bland, Caldwell, DeArmond, Lloyd and Manring—5.

NOES—Senators Allen, Bryant, Byrns, Cottey, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Hutt, McMahan, Mabrey, Mackey, Manistre, Morrisson, Pehle, Perkins, Rogers, Rouse and Stephens—20.

ABSENT—Senators Bradley, Cabell, Heard, Heaston, McGrath, Naylor and Walker—7.

ABSENT ON LEAVE—Senators Edwards of St. Charles and Jacobs—2.

Senator Rouse moved to reconsider the vote by which substitute for House bill No. 92 failed to pass; which was agreed to.

The bill then passed by the following vote:

AYES—Senators Allen Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—28.

NOES—Senators DeArmond and Manistre—2.

ABSENT—Senators Heard and McGrath—2.

ABSENT ON LEAVE—Senators Edwards of St. Charles and Jacobs—2.

The title of the bill was read and agreed to.

Senator Perkins moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

House bill No. 460, entitled "An act concerning macadamized roads;" was taken up, read third time, and,

Senator Cottey moved to reconsider the vote ordering the bill to third reading; which was agreed to.

Senator Lloyd offered the following amendment, which was agreed to.

Amend section 1 by inserting between the word "grade" and the word "and" the words "or to grade," in line two, printed bill.

Senator Cottey offered the following amendment, which was agreed to:

Amend section 1 by inserting after the word "empowered," where it occurs in the first line, printed bill, these words: "if in their judgment it is deemed to be of sufficient public utility."

Senator Bradley offered the following amendment, which was agreed to:

Amend section 1 by inserting in line two, after the word "any," the word "public."

The bill, as amended, was read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Heard, Heaston, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay,

Manistre, Manring, Morrisson, Naylor, Perkins, Rogers, Rouse, Stephens and Walker—29.

NOES—Senators DeArmond, Headlee and Pehle—3.

ABSENT ON LEAVE—Senators Edwards of St. Charles and Jacobs—2.

The title of the bill was read, and Senator Dobyns offered the following amendment, which was adopted :

Change title to read : "An act to authorize counties to aid in grading and macadamizing public roads."

The title, as amended, was agreed to.

Senator Bradley moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Allen was granted leave of absence.

Senator Bradley submitted the following report from the Committee on Enrolled Bills, which was read :

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 164, entitled "An act to amend section 1158, article 4, chapter 23, Revised Statutes of Missouri, 'Of courts of record.'"

The president announced that all other business would be suspended and directed the secretary to read at length Senate bill No. 164, entitled "An act to amend section 1158, article 4, chapter 23 of the Revised Statutes of Missouri, 'Of courts of record,'" and that unless objections be made he would sign the same to the end that it may become a law.

No objections being made, said bill was read at length by the secretary; and the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto. Said bill was immediately sent to the House of Representatives for the signature of the Speaker, and was this day presented to the Governor for his approval by the secretary.

House bill No. 581, entitled "An act to amend section 5250, chapter 94, Revised Statutes of 1879, entitled 'Of county boundaries,'" was taken up, read third time and passed by the following vote :

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McGrath, McMan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—31.

ABSENT ON LEAVE—Senators Allen, Edwards of St. Charles and Jacobs—3.

The title of the bill was read and agreed to.

Senator Edwards of Lafayette introduced Senate bill No. 249, entitled "An act to amend section 1150, article 4, chapter 23, Revised Statutes of Missouri, entitled 'Of courts of record,'" which was read first time and ordered not printed.

Senator Cabell introduced Senate bill No. 250, entitled "An act to amend section 2837, article 2, chapter 44, concerning justices courts, which was read first time and ordered not printed.

Senator McGrath introduced Senate bill No. 251, entitled "An act to amend section 5083, 5084 and 5089, article 7, chapter 91, Revised Statutes of Missouri, entitled 'Commissioner of Permanent Seat of Government,'" which was read first time and ordered not printed.

Senator Bradley moved that when the Senate adjourn it adjourn until 10 o'clock to-morrow morning, which was agreed to.

On motion of Senator Perkins, the Senate adjourned.

FIFTY-FIFTH DAY—SATURDAY, March 12.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

The following message was received from the Governor through his Private Secretary, Mr. Farr, which was read :

EXECUTIVE OFFICE, CITY OF JEFFERSON, }
March 12, 1881. }

SIR: I return to the Senate, with my approval endorsed thereon, bills of the following titles :

"An act to amend section eleven hundred and fifty-eight, article four, chapter twenty-three, of the Revised Statutes of Missouri, 'Of courts of record:."

"An act to repeal section 1804 of article 15, chapter 24, of the Revised Statutes of the State of Missouri, concerning 'Crimes and criminal procedure:."

"An act in relation to the construction and maintenance of aprons or chutes, to facilitate the passage of fish over dams and other obstructions:."

Very respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, President of the Senate.

Senator Manring submitted the following reports from the Committee on Township Organization, which were read:

MR. PRESIDENT: Your Committee on Township Organization, to whom was referred substitute for House bill No. 229, entitled "An act to amend section 7453, chapter 162, article 4, Revised Statutes, relating to township election precincts, judges of election and clerks of election," beg leave to report that they have considered the same, and I am instructed by a majority of your committee to report the same back with the recommend that it do pass.

MR. PRESIDENT: Your Committee on Township Organization, to whom was referred substitute for House bill No. 297, entitled "An act to amend section 7445, article 4, chapter 162, Revised Statutes, relating to method of holding township elections," beg leave to report that they have considered the same, and recommend that it do pass.

MR. PRESIDENT: Your Committee on Township Organization, to whom was referred substitute for House bills Nos. 343, 416, 493, 505, 527 and 437, "An act to amend section 7446, article 4, sections 7455 and 7457, article 5; section 7470, article 7; section 7485, article 9; sections 7490 and 7491, article 11; sections 7535 and 7538, article 13, all in chapter 162, Revised Statutes of Missouri, relating to township organization," beg leave to report that they have considered the same, and I am instructed by a majority of your committee to report the same back with the recommendation that it do pass.

Senator Hutt submitted the following reports from the Committee on Engrossed Bills, which were read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 240, entitled "An act to amend section 3132, chapter 24, Revised Statutes, entitled 'Of laws," beg leave to report that they have compared the same and find it to be truly en-

grossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 211, "An act in relation to the sale and leasing of the real estate of persons of unsound mind, and the reinvestment and other disposition of the proceeds thereof," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 150, entitled "An act to amend section eight hundred and six (806), article two (2), chapter twenty-one (21), Revised Statutes, entitled 'Of private corporations,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 177, entitled "An act for the relief of Charles G. Comstock, and to appropriate money therefor," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 175, entitled "An act to amend section 5441, chapter 98, Revised Statutes, entitled 'Of dramshops,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 148, entitled "An act providing for the payment of outstanding warrants issued for the drainage of swamp lands and to provide funds therefor," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 178, entitled "An act for the relief of D. P. Dyer, and to appropriate money therefor," beg leave to report that they have compared the same, and find it truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 217, entitled "An act to appropriate money for the payment of the services of James S. Rollins, as a member of

the General Assembly of the State of Missouri," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 182, entitled "An act to amend section 7628, article 1, chapter 164, Revised Statutes, entitled 'Of the State Treasury,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 236, entitled "An act to amend section 7631, article 1, chapter 164, Revised Statutes, entitled 'Treasury department,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate joint and concurrent resolution No. 14, entitled "Joint and concurrent resolution urging Congress to provide for a survey and preparation of sectional and schedule maps of the swamp and overflowed lands in Southeast Missouri and Northeastern Arkansas," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate joint and concurrent resolution No. 17, instructing our Senators and requesting our Representatives in Congress, to use all means in their representative capacity to secure the appropriation of \$25,000 for the purpose of improving Grand river, and reclaiming the swamp lands lying along said river," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 193, entitled "An act for the better regulation of dramshops," beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 193 was taken up and ordered engrossed.

Senator Heard submitted the following report from the Committee on Banks and Corporations, which was read :

MR. PRESIDENT: Your Committee on Banks and Corporations, to whom was referred Senate bill No. 237, entitled "An act relating to towns and cities exercising their municipal authority under special charters," beg leave to report that they have considered the same, and submit the following substitute, and recommed that the substitute do pass.

The substitute reported by the committee was taken up, read first and second times, agreed to and ordered engrossed.

Senator Hutt submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 192, entitled "An act to provide for the care and keeping of the State arms, accoutrements and military property, and to appropriate money therefor," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

On second reading of Senate bills, the following were read and referred :

Senate bill No. 249, entitled "An act to amend section 1150, article 4, chapter 23 of the Revised Statutes of the State of Missouri, entitled 'Of courts of record,' " to Committee on Judiciary.

Senate bill No. 250, entitled "An act to amend section 2837, article 2, chapter 49 of the Revised Statutes of the States Missouri, entitled 'Jurisdiction of justices of the peace,' " to Committee on Judiciary.

Senate bill No. 251, entitled "An act to amend sections 5083, 5084 and 5089, article 7, chapter 91, Revised Statutes, entitled 'Commissioner of Permanent Seat of Government,' " to Committee on Ways and Means.

On third reading of Senate bills, Senate bill No. 192, entitled "An act to provide for the care and keeping of the State arms, accoutrements and military property, and to appropriate money therefor," was taken up and laid over until next Tuesday.

Senator McGrath granted leave of absence until Monday.

Senate bill No. 236, entitled "An act to amend section 7631, article 1 of chapter 164 of the Revised Statutes of Missouri 'Treasury department,' " was taken up, read third time and passed by the following vote :

AYES—Senators Bradley, Bland, Cabell, Caldwell, Cottey, Dobyns, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt,

McMahan, Mabrey, Mackay, Manring, Morrisson, Naylor, Perkins, Rogers, Rouse, Stephens and Walker—23.

NOES—Senators Dungan, Lloyd, Manistre and Pehle—4.

ABSENT—Senators Bryant, Byrns and DeArmond—3.

ABSENT ON LEAVE—Senator Allen, Edwards of St. Charles, Jacobs and McGrath—4.

The title of the bill was read and agreed to.

Senator Morrisson moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 182, entitled "An act to amend section 7628, article 1, chapter 164, Revised Statutes of Missouri, entitled 'Of the State Treasury,'" was taken up, and Senator DeArmond moved to reconsider the vote by which the bill was ordered engrossed; which was agreed to.

The bill was then recommitted to the Committee on Ways and Means.

Senate bill No. 217, entitled "An act to appropriate money for the payment of the services of James S. Rollins as a member of the General Assembly of the State of Missouri," was taken up, read third time and passed by the following vote:

AYES—Senators Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—27.

ABSENT—Senators Bradley and Bryant—2.

ABSENT ON LEAVE—Senator Allen, Edwards of St. Charles, Jacobs and McGrath—4.

The emergency clause of the bill passed by the following vote:

AYES—Senators Bradley, Byrns, Bland, Cabell, Caldwell, Cottey, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McMahan, Mackay, Manistre, Manring, Morrison, Naylor, Pehle, Perkins, Stephens and Walker—24.

NOES—Senators DeArmond, Dobyns, Mabrey, Rogers and Rouse—5.

ABSENT—Senator Bryant.

ABSENT WITH LEAVE—Senators Allen, Edwards of St. Charles, Jacobs and McGrath—4.

Senate bill No. 178, entitled "An act for the relief D. P. Dyer, and

to appropriate money therefor," was taken up, read third time and passed by the following vote :

AYES—Senators Bradley, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—29.

ABSENT—Senator Bryaht.

ABSENT ON LEAVE—Senators Allen, Edwards of St. Charles, Jacobs and McGrath—4.

Title of the bill was read and agreed to.

Senator Rogers moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table ; the latter motion prevailed.

Senate bill No. 148, entitled "An act providing for the payment of outstanding warrants issued for the drainage of swamp lands and to provide funds therefor," was taken up, read third time and passed by the following vote :

AYES—Senators Bradley, Byrns, Bland, Cabell, Caldwell, Cottey, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Stephens and Walker—26.

NOES—Senators DeArmond and Rouse—2.

ABSENT—Senator Bryant.

ABSENT ON LEAVE—Senators Allen, Edwards of St. Charles, Jacobs and McGrath—4.

The title of the bill was agreed to.

Senator Dungan moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table ; the latter motion prevailed.

Senate bill No. 175, entitled "An act to amend section 5441, chapter 98, Revised Statutes of the State of Missouri, entitled 'Of dram-shops,'" was taken up, read third time and passed by the following vote :

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manring, Morrisson, Naylor, Perkins, Rogers, Rouse and Stephens—24.

NOES—Senators Manistre and Pehle—2.

ABSENT—Senator Walker.

ABSENT ON LEAVE—Senators Allen, Edwards of St. Charles, Jacobs McGrath—4.

Title of bill read and agreed to.

Senator Stephens moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; which latter motion prevailed.

Senate bill No. 150, entitled "An act to amend section eight hundred and six (806), article two (2), chapter twenty-one (21) of the Revised Statutes, entitled 'Of private corporations,'" was taken up, read third time and passed by the following vote:

AYES—Senators Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heaston, Hutt, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Pehle, Perkins, Rouse and Stephens—24.

NOES—Senators Bradley, Heard and Rogers—3.

ABSENT—Senators Bryant, Lloyd, Naylor and Walker—4.

ABSENT ON LEAVE—Senators Allen, Edwards of St. Charles, Jacobs and McGrath—4.

The title of the bill was read and agreed to.

Senate bill No. 177, entitled "An act for the relief of Charles G. Comstock, and to appropriate money therefor," was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Pehle, Perkins, Rogers, Rouse and Stephens—27.

ABSENT—Senators Byrns, Naylor and Walker—3.

ABSENT ON LEAVE—Senators Allen, Edwards of St. Charles, Jacobs and McGrath—4.

The title of the bill was read and agreed to.

Senator Rogers moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 211, entitled "An act in relation to the sale and leasing of the real estate of persons of unsound mind and the reinvestment and other disposition of the proceeds thereof," was taken up, read third time and passed by the following vote:

AYES—Senators Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—29.

ABSENT—Senator Bradley.

ABSENT ON LEAVE—Senators Allen, Edwards of St. Charles, Jacobs and McGrath—4.

The title of the bill was read and agreed to.

Senator Lloyd moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 240, entitled "An act to amend section 3132, chapter 46, Revised Statutes of Missouri, entitled 'Of laws,'" was taken up, read third time and passed by the following vote:

AYES—Senators Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—28.

ABSENT—Senators Bradley and Heard—2.

ABSENT ON LEAVE—Senators Allen, Edwards of St. Charles, Jacobs and McGrath—4.

The title of the bill was read and agreed to.

Senator Caldwell moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate joint and concurrent resolution No. 14, entitled "Joint and concurrent resolution urging Congress to provide for a survey and preparation of sectional and schedule maps of the swamp and overflowed lands in southeast Missouri and northeastern Arkansas," was taken and read third time, and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—29.

ABSENT ON LEAVE—Senators Allen, Edwards of St. Charles, Jacobs and McGrath—4.

The title was read and agreed to.

Senator Morrisson moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate joint and concurrent resolution No. 17, entitled "Joint and concurrent resolution, instructing our Senators and requesting our Representatives in Congress to use all means in their representative capacity to secure the appropriation of \$25,000 for the purpose of improv-

ing Grand river and reclaiming the swamp lands lying along said river," was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—29.

ABSENT—Senator Bryant.

ABSENT ON LEAVE—Senators Allen, Edwards of St. Charles, Jacobs and McGrath—4.

The title of the bill was read and agreed to.

Senator Heaston moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

The President announced that all other business would be suspended, and directed the Secretary to read at length substitute for House bill No. 215, entitled "An act concerning amendment of articles of association of private corporations," and House bill No. 400, entitled "An act to amend section four thousand one hundred and forty-five (4145), chapter seventy-seven (77), Revised Statutes, 'Of asylums,'" and stated that, unless objections be made, he would sign said bills, to the end that each may become a law.

No objections being made, the bills were read at length by the Secretary, and, the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto, said bill was also signed by the Secretary.

On first reading of House bills, the following were read:

Substitute for House bill No. 313, entitled "An act to amend section three thousand and ninety-eight (3098) of chapter forty-five (45), of the Revised Statutes, concerning 'Landlords and tenants:'"

House bill No. 341, entitled "An act fixing the number of directors of public school boards and prescribing the qualifications of electors therefor:"

Substitute for House bill No. 412, entitled "An act to amend section 1145, article 4, chapter 23, of the Revised Statutes of 1879, entitled 'Of courts of record:'"

Substitute for House bill No. 439, entitled "An act to amend section six thousand nine hundred and eighty-eight (6988), of chapter one hundred and forty-eight (148) of the Revised Statutes of Missouri, 'Of salaries.'"

Substitute for House joint and concurrent resolution No. 33, en

titled "House joint and concurrent resolution No. 33, submitting an amendment to section 11, article 10 of the Constitution, relating to taxation, to the qualified voters of the State of Missouri, to be voted on at the general election to be held on the first Tuesday after the first Monday in November, in the year 1882," was taken up and read first time.

On third reading of House bills, substitute for House bills Nos. 343, 416, 493, 505, 527 and 436, entitled "An act to amend section 7446, article 4; sections 7455, 7457, article 5; section 7470, article 7; section 7485, article 9; sections 7490 and 7491, article 11; section 7535 and section 7538, article 13, all in chapter 162 of the Revised Statutes of Missouri, relating to township organization," was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Edwards of Lafayette, Headlee, Heard, Heaston, McMahan, Mackay, Manistre, Manring, Pehle, Rogers, Rouse, Stephens and Walker—20.

NOES—Senators DeArmond, Dungan, Gottschalk, Hutt and Lloyd—5.

ABSENT—Senators Dobyons, Mabrey, Morrison, Naylor and Perkins—5.

ABSENT ON LEAVE—Senators Allen, Edwards of St. Charles, Jacobs and McGrath—4.

The emergency clause of said bill was passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—28.

NO—Senator Dobyons.

ABSENT—Senator DeArmond.

ABSENT ON LEAVE—Senators Allen, Edwards of St. Charles, Jacobs and McGrath—4.

The title of the bill read and agreed to.

Senator Caldwell moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; which latter motion was agreed to.

Substitute for House bill No. 229, entitled "An act to amend section 7453, chapter 162, article 4, Revised Statutes, relating to township election precincts, judges of election and clerks of election," was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morisson, Naylor, Perkins, Rogers, Rouse, Stephens and Walker—28.

NOES—Senators DeArmond and Pehle—2.

ABSENT ON LEAVE—Senators Allen, Edwards of St. Charles, Jacobs and McGrath—4.

The emergency clause of said bill was passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morisson, Naylor, Pehle, Perkins, Rouse, Stephens and Walker—28.

NO—Senator DeArmond.

ABSENT—Senator Rogers.

ABSENT ON LEAVE—Senators Allen, Edwards of St. Charles, Jacobs and McGrath—4.

The title of the bill was read and agreed to.

Substitute for House bill No. 297, entitled "An act to amend section 7445, article 4, chapter 162, Revised Statutes, relating to method of holding township elections," was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morrison, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—30.

ABSENT ON LEAVE—Senators Allen, Edwards of St. Charles, Jacobs and McGrath—4.

The title of the bill was read and agreed to.

Senator Caldwell moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Rouse called up Senate bill No. 184, entitled "An act to amend sections 5853 and 5868 of article 2 of chapter 117 of the Revised Statutes of the State of Missouri, concerning inspection of tobacco," which was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Edwards of Lafayette, Gottschalk, Headlee,

Heard, Heaston, Hutt, McMahan, Mabrey, Mackay, Manring, Morrison, Naylor, Pehle, Rogers, Rouse, Stephens and Walker—25.

NOES—Senators Dobyns, Lloyd, Manistre and Perkins—4.

ABSENT—Senator Dungan.

ABSENT ON LEAVE—Senators Allen, Edwards of St. Charles, Jacobs and McGrath—4.

The title of the bill was read and agreed to.

Senator Rouse moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

On motion of Senator Hutt, the Senate went into executive session at 11:45 A. M., and at 1:25 P. M. the Senate resumed its regular session.

The following message was received from the House of Representatives through Mr. Hawley, Chief Clerk, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that that the House has taken up and passed Senate joint and concurrent resolution No. 2, "Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to use all means in their representative capacity to establish an efficient territorial government in the Indian Territory, and to open the public lands in said territory belonging to the government to settlement under the homestead and pre-emption laws of the United States :"

Also, Senate bill No. 64, entitled "An act to provide for the making of settlements with the State Auditor and State Treasurer, and the examination of the condition and affairs of State offices generally, the Governor's excepted, in cases where such settlement has not been or shall not be made, or has not been or shall not be reported to and acted on by the General Assembly, as required by law :"

Also, Senate bill No. 133, entitled "An act to provide for the registration of all voters in cities having a population of more than one hundred thousand inhabitants, and to govern elections in such cities, and to repeal an act entitled 'An act to provide for the exercise of the right of voting by persons who have failed to register,' approved March 30, 1877, and all acts and parts of acts conflicting herewith :"

Also, Senate bill No. 118, entitled "An act to amend sections 841 and 846 of article 3, chapter 21, of the Revised Statutes of Missouri of 1879, entitled 'railroad classification—charges—commissioners :'"

And that the House has also taken up and passed House bill No. 476, entitled "A bill for an act to prevent the manufacture and sale of oleaginous substances, or compounds of the same, in imitation of the pure dairy products :"

Also, House bill No. 399, entitled "An act to amend sections 1117, 1133, 1147 and 1163, article 3, chapter 23, Revised Statutes, in reference to judicial circuits:"

Also, House bill No. 381, entitled "An act to amend section 3838, chapter 62 of the Revised Statutes of the State of Missouri, 'Of recorders of deeds:'"

Also, House bill No. 204, entitled "An act for the relief of the people of the county of Webster, by appropriating money to repair the damage done to the public buildings in said county by the cyclones of April 18, 1880:"

Also, House bill No. 449, entitled "An act to amend sections 6706 and 6707, article 2; section 6848, article 6, and section 6853 of article 7, chapter 145, Revised Statutes, relating to 'Assessment and collection of the revenue:'"

Also, House bill No. 604, entitled "An act to amend section ten (10), also called section 32 of an act entitled 'An act to amend sections 1, 4, 12 and 13 of an act entitled "An act to establish the twenty-fourth judicial circuit, and to provide for the election of a judge and circuit attorney therefor," approved February 4, 1871, and adding thereto the following new sections: 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36,' approved March 24, 1879:"

Also, House bill 228, entitled "An act providing for the health and safety of persons employed in coal mines, and providing for the inspection of same:"

Also, House bill No. 324, entitled "An act to require railroad companies to furnish double decked cars for the shipment of sheep, and a penalty for failing so to do:"

Also, House bill No. 523, entitled "An act to amend section one thousand one hundred and eighty (1180), article five (5), chapter twenty-three (23), Revised Statutes, 'Of courts of record:'"

Also, House bill No. 600, entitled "An act to amend section 1754, article 13, Revised Statutes of 1879, entitled 'Arrest and preliminary examination:'"

Also, House bill No. 338, entitled "An act to amend section 6662, chapter 145, Revised Statutes, entitled 'Of the assessment and collection of the revenue'"—

In which the concurrence of the Senate is respectfully requested.

Senator Cottey moved that when the Senate adjourn it adjourn until 3 o'clock P. M.; which was agreed to.

On motion of Senator Bradley, the Senate adjourned.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 555, entitled "An act authorizing the formation of a police relief association in any city having over one hundred thousand inhabitants," and that unless objections be made he would sign the same, to the end that it may become a law. The bill was read at length by the Secretary; no objection being made and the presiding officer, in the presence of the Senate, in open session, no other business intervening, signed said bill; said bill was also signed by the Secretary.

Senator Lloyd moved to reconsider the vote by which Senate bill No, 150 passed this morning, which motion was lost by the following vote:

AYES—Senators Bryant, Byrns, Cottey, Dungan, Heard, Hutt, Lloyd, Morrisson, Naylor, Perkins and Rogers—11.

NOES—Senators Bradley, Bland, Caldwell, DeArmond, Dobyns, Edwards of Lafayette, Gottschalk, Headlee, Heaston, Mabrey, Mackay, Manring, Rouse and Stephens—14.

ABSENT—Senators Cabell, McMahan, Manistre, Pehle and Walker—5.

ABSENT ON LEAVE—Senators Allen, Edwards of St. Charles, Jacobs and McGrath—4.

On first reading of House bills, the following were taken up and read:

House bill No. 204, entitled "An act for the relief of the people of the county of Webster, by appropriating money to repair the damage done to the public buildings in said county by the cyclones of April 18, 1880."

House bill No. 228, entitled "An act providing for the health and safety of persons employed in coal mines and providing for the inspection of same:"

House bill No. 324, entitled "An act to amend section two thousand one hundred and twenty-four (2124), chapter twenty five (25), Revised Statutes, 'Of damages:'"

House bill No. 381, entitled "An act to amend section 3838, chapter 62, Revised Statutes, 'Of recorders of deeds:'"

House bill No. 388, entitled "An act to amend section 6662, chapter 145, Revised Statutes, entitled 'Of the assessment and collection of the revenue:.'"

House bill No. 399, entitled "An act to amend sections 1117, 1133, 1147 and 1163, article 3, chapter 23, Revised Statutes, in reference to judicial circuits."

House bill No. 449, entitled "An act to amend sections 6706 and 6707, article 2; section 6848, article 6, and section 6853, article 7, chapter 145, Revised Statutes, relating to 'Of the assessment and collection of the revenue:.'"

House bill No. 476, entitled "A bill for an act to prevent the manufacture and sale of oleaginous substances or compounds of the same, in imitation of the pure dairy products:"

House bill No. 523, entitled "An act to amend section one thousand one hundred and eighty (1180), article five (5), chapter twenty-three (23), Revised Statutes, 'Of courts of record.'"

House bill No. 600, entitled "An act to amend section 1754, article 13, Revised Statutes, entitled 'Arrest and preliminary examination:.'"

House bill No. 604, entitled "An act to amend section ten (10), also called section 32, of an act entitled 'An act to amend sections 1, 4, 12 and 13 of an act entitled "An act to establish the twenty-fourth judicial circuit and to provide for the election of a judge and circuit attorney therefor," approved February 4, 1871, and adding thereto the following new sections: 27, 38, 29, 30, 31, 32, 33, 34, 35 and 36,' approved March 24, 1879."

Senator Hutt, from the Committee on Engrossed Bills, submitted the following reports, which were read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 62, entitled "An act to amend section 2732, chapter 42, of the Revised Statutes, 'Of judgments," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 30, entitled "An act authorizing the establishing, widening and improving public roads, avenues and boulevards," beg leave to report that they have compared the same and find it to be truly engrossed and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 231, entitled "An act for the relief of George W. Arnold and George W. Fricke, and to appropriate money therefor,"

beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 246, entitled "An act to relieve the supreme court from the necessity of preparing written opinions in certain cases," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 173, entitled "An act in relation to bonds of *ex officio* collectors," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 182, entitled "An act to amend section 7628, article 1, chapter 164, Revised Statutes of Missouri, entitled 'Of the State Treasury,'" beg leave to report that they have considered the same and recommend that it do pass, with the accompanying amendment.

Senate bill No. 182 was taken up and the following amendment, reported by the Committee, was agreed to :

Amend by striking out all after the words "Section 1" in the first line of the bill down to the words "Section 7628," in the eighth line of the bill, and inserting in lieu thereof the following: Section seven thousand six hundred and twenty-eight be and is hereby amended by inserting between the words "coupons" and "paid," in the eighth line of said section, the following: "And bonds and interest thereon;" and by striking out the words "one-tenth of one per cent." where they occur in the ninth and tenth lines of said section, and inserting in lieu thereof the following: "One-fourth of one per cent. on all coupons, and one-eighth of one per cent. on all bonds and interest thereon," so that said section, when amended, shall read as follows:

The bill, as amended, was ordered engrossed.

Senate bill No. 62, entitled "An act to amend section twenty-seven hundred and thirty-two, chapter forty-two, Revised Statutes, entitled 'Of judgments'" was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell,

Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manring, Morrisson, Naylor, Perkins, Rogers, Rouse and Stephens—27.

ABSENT—Senators Manistre, Pehle and Walker—3.

ABSENT ON LEAVE—Senators Allen, Edwards of St. Charles, Jacobs and McGrath—4.

The title of the bill was read and agreed to.

Senator Dungan moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 30, entitled "An act authorizing the establishing, widening and improving public roads, avenues and boulevards," was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Morrisson, Naylor, Perkins, Rogers and Stephens—24.

NOES—Senators DeArmond and Rouse—2.

ABSENT—Senators Manistre, Manring, Pehle and Walker—4.

ABSENT ON LEAVE—Senators Allen, Edwards of St. Charles, Jacobs and McGrath—4.

The title of the bill was read and agreed to.

Senator Bryant moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 231, entitled "An act for the relief of George W. Arnold and George W. Fricke, and to appropriate money therefor," was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manring, Morrisson, Naylor, Perkins, Rogers, Rouse, and Stephens—26.

ABSENT—Senators Bryant, Manistre, Pehle and Walker—4.

ABSENT ON LEAVE—Senators Allen, Edwards of St. Charles, Jacobs and McGrath—4.

The title of the bill was read and agreed to.

Senator Morrisson moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 173, entitled "An act in relation to bonds of ex officio collectors," was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottscholk, Headlee, Heard, Heaston, Hutt, Lloyd, Mabrey, Mackay, Morrisson, Naylor, Perkins, Rogers and Stephens—24.

ABSENT—Senators McMahan, Manistre, Manring, Pehle, Rouse and Walker—6.

ABSENT ON LEAVE—Senators Allen, Edwards of St. Charles, Jacobs and McGrath—4.

The title of the bill was read and agreed to.

Senator Heaston moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 246, entitled "An act to relieve the Supreme Court from the necessity of preparing written opinions in certain cases," was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manring, Morrisson, Naylor, Perkins, Rogers and Stephens—26.

NO—Senator Rouse.

ABSENT—Senators Manistre, Pehle and Walker—3.

ABSENT ON LEAVE—Senators Allen, Edwards of St. Charles, Jacobs and McGrath—4.

The emergency clause was then passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackey, Manistre, Manring, Morrisson, Naylor, Perkins, Rogers, Rouse and Stephens—28.

ABSENT—Senators Pehle and Walker—2.

ABSENT ON LEAVE—Senators Allen, Edwards of St. Charles, Jacobs and McGrath—4.

The title of the bill was read and agreed to.

Senator DeArmond moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

The following message was received from the House of Representatives through Mr. Hawley, Chief Clerk:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed House bill No. 317, entitled "An act to amend section 2121, Revised Statutes, chapter 25, entitled 'Of damages and contributions in actions of tort,' and to add three new sections to said chapter;"

Also, House bill No. 540, entitled "An act to amend section 6482, chapter 137, revised Statutes, entitled 'Of peddlers and their license;'"

Also, House bill No. 273, entitled "An act to repeal an act entitled 'an act concerning street railroads in the city of St. Louis,' approved January 16, 1860;"

Also, substitute for House bill No. 295 entitled "An act to amend sections 7031, 7032 and 7033, chapter 150, article 1, Revised Statutes, 'Of schools;'"

Also, substitute for House bill No. 267, entitled "An act providing for the election of superintendent of the insurance department."

In which the concurrence of the Senate is respectfully requested.

Senator Hutt submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 78, entitled "An act to appropriate money for the redemption of Union military bonds held for redemption by Donaldson and Fraley of St. Louis, Missouri; Daniel Baldrige, of Sullivan county; J. C. Lindley, of Dade county; Abe S. Scott, of Boone county, and C. E. Ilgenfritz, of Pettis county, Missouri," beg leave to report that they have compared the same and find it truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senate bill No. 78 was taken up and laid over informally.

Senate joint and concurrent resolution No. 16, entitled "Concurrent resolution submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof, concerning the judicial department," was taken up, and the following House amendment offered:

Amend section 3 in line 2, by inserting after the word "appeals," the words "and the election for judges thereof."

The same having been printed for the use of the Senate, was read first and second times and concurred in by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Headlee, Heard, Heaston, Hutt, Lloyd, McMahon, Mabrey, Manistre, Manring, Morrisson, Naylor, Perkins, Rogers, Rouse and Stephens—26.

ABSENT—Senator Gottschalk, Mackey, Pehle and Walker—4.

ABSENT ON LEAVE—Senators Allen, Edwards of St. Charles, Jacobs and McGrath—4.

Senate bill No. 96, entitled "An act to appropriate money for the payment of the National Bank of Commerce of the city of New York, fiscal agent of the State, for the payment of bonds of the State, and interest coupons as they fell due, from the year 1872 to December 31, 1880," was taken up, and the following amendment—Amend section 1 of Senate bill No. 96 by striking out the words "revenue fund," in second line, and inserting in lieu thereof the words "State interest fund," the same having been printed for the information of the Senate—was read first and second times and concurred in by the following vote :

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morrison, Naylor, Perkins, Rogers, Rouse and Stephens—28.

ABSENT—Senators Pehle and Walker—2.

ABSENT ON LEAVE—Senators Allen, Edwards of St. Charles, Jacobs and McGrath—4.

Senator Cottey moved to reconsider the vote by which the amendment was concurred in, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Heard submitted the following reports from the Committee on Banks and Corporations, which were read :

MR. PRESIDENT: Your Committee on Banks and Corporations, to whom was referred House bill No. 208, entitled "An act relating to fund, manufacturing and business companies," beg leave to report that they have considered the same, and recommend that it do pass.

MR. PRESIDENT: Your Committee on Banks and Corporations, to whom was referred House bill No. 451, entitled "An act conferring upon and defining the rights of companies formed for the purpose of supplying cities and towns with pure water," beg leave to report that they have considered the same, and recommend that it do pass.

House bills Nos. 208 and 451 were taken up and laid over informally.

On motion of Senator Manring, the Senate adjourned.

FIFTY-SIXTH DAY—MONDAY, March 14.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Senator Cabell introduced Senate bill No. 252, entitled "An act to amend section 2, chapter 6, Appendix to the Revised Statutes of Missouri, of laws especially applicable to the city of St. Louis, entitled 'Concerning the police;'" which was read first time and ordered not printed.

Senator Edwards of St. Charles submitted the following reports from the Committee on Engrossed Bills, which were read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 142, entitled "An act to amend the laws in relation to the sale and lease of the Agricultural College lands and the investment of the proceeds as a permanent fund for the endowment and support of the Agricultural and Mechanical College and the School of Mines and Metallurgy, being a department of the State University," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 138, entitled an act to amend section 838, and to repeal sections 839 and 840 of article 3, chapter 21, Revised Statutes, entitled 'Railroad classification—charges—commissioners'—beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 226, entitled "An act to amend section 6314 of chapter 129 of the Revised Statutes, entitled 'Merchants licenses,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 235, entitled "An act to appropriate money for payment of an unpaid balance of the salary of P. H. Edwards, formerly judge of the 14th judicial circuit of the State of Missouri," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 248, entitled "An act as to searches, and certificates as to judgments," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 238, entitled "An act to amend sections 2025 and 2026 of article 23, chapter 24, Revised Statutes of the State of Missouri, entitled 'Proceedings before justices in misdemeanors,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 180, entitled "An act to amend section 2689, chapter 39 of the Revised Statutes of Missouri, 'Of homesteads,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 11, entitled "An act to amend chapter 62 of the Revised Statutes of Missouri, entitled 'Of recorders of deeds,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 105, entitled "An act to regulate the retailing of intoxicating liquors by dealers in drugs and medicines; and to repeal chapter one hundred of the Revised Statutes of the State of Missouri, 'Of druggists and their licenses,' and all other acts and parts of acts inconsistent with this act," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator DeArmond submitted the following reports from the Committee on Judiciary, which were read:

MR. PRESIDENT: Your Committee on Judiciary to whom was referred substitute for House bill No. 63, entitled "An act to amend section one thousand one hundred and fifty-one (1151), article four (4), chapter twenty-three (23), Revised Statutes, 'Circuit courts,'" beg leave to report that they have considered the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred substitute for House bill No. 307, entitled "An act to amend section 1167, chapter twenty-three, article 4, Revised Statutes, 'Of courts of record,'" beg leave to report that they have considered the same, and recommend that it do pass.

Senator Morrisson submitted the following report from the Committee on Education, which was read:

MR. PRESIDENT: Your Committee on Education, to whom was referred House bill No. 374, entitled "An act to encourage an increase of the public school fund of the State by gift, grant or devise," etc., beg leave to report that they have considered the same, and recommend that it do pass.

On third reading of Senate bills,

Senate bill No. 142, entitled "An act to amend the laws in relation to the sale and lease of the Agricultural College lands, and the investment of the proceeds as a permanent fund for the endowment and support of the Agricultural and Mechanical College and School of Mines and Metallurgy, being a department of the State University," was taken up and laid over informally.

Senate bill No. 138, entitled "An act to amend section 838 and to repeal sections 839 and 840 of article 3, chapter 21 of the Revised Statutes of Missouri, entitled 'Railroad classification—charges—commissioners,'" was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Bland, Cabell, Caldwell, Cottey, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manring, Morrisson, Perkins, Rogers, Rouse and Stephens—22.

NO—Senator DeArmond.

ABSENT—Senators Byrns, Dobyns, Headlee, Heard, Heaston, Manistre, Naylor, Pehle and Walker—9.

ABSENT ON LEAVE—Senator Allen.

SICK—Senator Jacobs.

The title of the bill was read and agreed to.

Senator Edwards of St. Charles moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the later motion prevailed.

Senators Pehle and Headlee were granted leave of absence for to-day.

Senator Heaston reported sick.

The following message was received from the Governor, through his private Secretary, Mr. Farr, which was read and referred to the Committee on Ways and Means:

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, March 14, 1881. }

SIR: In view of the fact that a casual deficiency in the revenue fund will occur, extending from June 1st to October 1st of this year, I recommend that the Legislature authorize the issuance of two hundred thousand dollars of revenue bonds, bearing a rate of interest not to exceed six per cent. per annum; or authorize the Fund Commissioners to borrow any sum, not exceeding two hundred thousand dollars, that may be necessary to meet the emergency of this casual deficiency, for such length of time as may be necessary, not exceeding two years, and not at a greater rate of interest than six per cent. per annum. I am inclined to think the latter proposition cheaper, and as effective as the former.

The obligations of the State which mature on the 1st day of June, together with the other demands made upon the revenue fund, will absorb that fund, thereby causing a deficiency for the time mentioned. The importance of this matter will commend itself to your prompt and earnest attention.

Very respectfully.

THOS. T. ORITTENDEN.

HON. R. A. CAMPBELL, President of the Senate.

Senate bill No. 226, entitled "An act to amend section 6314 of chapter 129 of the Revised Statutes, entitled 'Merchants' licenses,'" was taken up, read third time and passed by the following vote:

AYES—Senators Byrns, Bland, Cabell, Cottey, DeArmond, Dungan, Edwards of St. Charles, Gottschalk, Heard, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Morrisson, Perkins, Rogers and Stephens—20.

NOES—Senators Bradley, Bryant, Caldwell, Edwards of Lafayette, Manring and Rouse—6.

ABSENT—Senators Dobyys, Naylor and Walker—3.

ABSENT ON LEAVE—Senators Allen, Headlee and Pehle—3.

SICK—Senators Heaston and Jacobs—2.

The title of the bill was read and agreed to.

Senator Gottschalk moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 105, entitled "An act to regulate the retailing of intoxicating liquors by dealers in drugs and medicines, and to repeal chapter 100 of the Revised Statutes of the State of Missouri, 'Of druggists and their licenses,' and all other acts and parts of acts inconsistent with this act," was taken up, read third time and passed by the following vote :

AYES—Senators Byrns, Bland, Cabell, Caldwell, DeArmond, Dungan, Edwards of Lafayette, Gottschalk, Heard, Hutt, Lloyd, McMahan, Mabrey, Manistre, Manring, Morrisson, Rogers, Rouse and Stephens—19.

NOES—Senators Bryant, Cottey, Edwards of St. Charles, McGrath, Mackay and Naylor—6.

ABSENT ON LEAVE—Senators Allen, Headlee and Perkins—3.

SICK—Senators Dobyns, Heaston and Jacobs—3.

The title of the bill was read and agreed to.

Senator DeArmond moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; which latter motion prevailed.

Senate bill No. 235, entitled "An act to appropriate money for payment of an unpaid balance of the salary of P. H. Edwards, formerly judge of the 14th judicial circuit of the State of Missouri," was taken up, read third time and passed by the following vote :

AYES—Senators Bradley, Bryant, Bland, Cabell, Caldwell, Cottey, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Lloyd, McGrath, McMahan, Mackay, Manistre, Manring, Morrisson, Perkins and Stephens—21.

NOES—Senators DeArmond, Hutt, Rogers and Rouse—4.

ABSENT—Senators Byrns, Headlee, Naylor and Walker—4.

ABSENT ON LEAVE—Senators Allen and Pehle—2.

SICK—Senators Dobyns, Heaston and Jacobs—3.

The title of the bill was read and agreed to.

Senator Bradley moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Bradley submitted the following reports from the Committee on Enrolled Bills, which were read :

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 118, entitled "An act to amend sections 841 and 846 of article 3, chapter 21 of the Revised Statutes of 1879, entitled ' Railroad classification—charges—commissioners. ' "

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 147, entitled "An act to provide for the manner of submission of constitutional amendments to a vote of the people. "

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 64, entitled "An act to provide for the making of settlements with the State Auditor and State Treasurer, and the examination of the condition and affairs of State offices generally, the Governor's excepted, in cases where such settlement has not been or shall not be made, or has not been or shall not be reported to and acted on by the General Assembly, as required by law. "

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate joint and concurrent resolution No. 2, instructing our Senators and requesting our Representatives in Congress to use all means in their representative capacity to establish an efficient territorial government in the Indian Territory, and to open the public lands in said Territory, belonging to the government, to settlement under the homestead and preemption laws of the United States.

The President announced that all other business would be suspended, and directed the Secretary to read at length the following Senate bills:

Senate bill No. 118, entitled "An act to amend sections 841 and 846 of article 3, chapter 21, of the Revised Statutes of Missouri of 1879, entitled ' Railroad classifications—charges—commissioners; ' "

Senate bill No. 147, entitled "An act to provide for the submission of constitutional amendments to a vote of the people; "

Senate bill No. 64, entitled "An act to provide for the making of settlements with the State Auditor and State Treasurer, and the examination of the condition and affairs of State offices generally, the Governor's excepted, in cases where such settlement has not been or shall not be made, or has not been or shall not be reported to and acted on by the General Assembly, as required by law; "

And Senate joint and concurrent resolution No. 2, entitled "Joint

and concurrent resolution instructing our Senators and requesting our Representatives in Congress to use all means in their representative capacity to establish an efficient territorial government in the Indian Territory, and to open the public lands in said territory belonging to the government to settlement under the homestead and pre-emption laws of the United States ;" and stated that unless objections be made he would sign said bills to the end that each may become a law. Senate bill No. 118 was read at length by the Secretary ; and the presiding officer, no objection being made, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto ; said bill was also signed by the Secretary. Senate bill No. 147 was read at length by the Secretary ; and the presiding officer, no objection being made, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto ; said bill was also signed by the Secretary. Senate bill No. 64 was read at length by the Secretary ; and the presiding officer, no objections being made, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto ; said bill was also signed by the Secretary. Senate joint and concurrent resolution No. 2 was read at length by the Secretary ; no objection being made, the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto ; said bill was also signed by the Secretary.

The following messages were received from the House of Representatives through Mr. Hannay, Assistant Chief Clerk :

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and concurred in Senate amendment to House bill No. 199, entitled "An act to amend section 75, Revised Statutes of 1879, in relation to administration :"

And that the House has taken up and passed House bill No. 727, entitled "An act to amend an act entitled 'An act creating a board of police commissioners, and authorizing the appointment of a permanent police force for the City of Kansas, approved March 27, 1874, so as to enable the city council, on the recommendation of the board of police commissioners, to increase the number of men on the present police force :"

Also, House bill No. 471, entitled "An act to amend sections four thousands nine hundred and fifty-two (4952), four thousand nine hundred and fifty-three (4953), and four thousand nine hundred and fifty-five (4955), chapter eighty-nine (89), article five, Revised Statutes, relating to cities, towns and villages :"

Also, House bill No. 362, entitled "An act to amend section five

hundred and thirteen, Revised Statutes of 1879, relating to prosecuting and circuit attorneys :”

Also, House bill No. 470, entitled “An act to amend section one hundred and sixty-nine (169), article eight (8), chapter one (1), Revised Statutes, so as to make the deed for land sold on petition of an executor, administrator, creditor or other person interested in the estate, to pay debts of the estate, evidence :”

Also, House bill No. 515, entitled “An act entitled an act to authorize towns, cities and villages to purchase, receive and hold real estate for the burial of the dead :”

Also, House bill No. 79, entitled “An act entitled an act to provide for the giving of bond by ex officio collector of county revenue”—

In which the concurrence of the Senate is respectfully requested.

Senate bill No. 11, entitled “An act to amend chapter 62 of the Revised Statutes of Missouri, entitled ‘Of recorders of deeds,’ was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Bland, Caldwell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackey, Manring, Morrison, Perkins, Rogers, Rouse and Stephens—22.

ABSENT—Senators Byrns, Heard, Manistre, Naylor and Walker—5.

ABSENT ON LEAVE—Senators Allen, Cabell, Headlee and Pehle—4.

SICK—Senators Dobyns, Heaston and Jacobs—3.

The title of the bill was read and agreed to.

Senator Lloyd moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 180, entitled “An act to amend section twenty-six hundred and eighty-nine (2689), chapter thirty-nine (39), Revised Statutes, ‘Of homesteads,’ was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dungan, Edwards of St. Charles, Gottschalk, Hutt, Lloyd, McMahan, Mabrey, Mackey, Manistre, Manring, Morrison, Perkins, Rogers, Rouse and Stephens—23.

ABSENT—Senators Edwards of Lafayette, Heard, McGrath, Naylor and Walker—5.

ABSENT ON LEAVE—Senators Allen, Headlee and Pehle—3.

SICK—Senators Dobyns, Heaston and Jacobs—3.

The title of the bill was read and agreed to.

Senator Caldwell moved to reconsider the vote by which the bill

passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 238, entitled "An act to amend sections 2025 and 2026, article 23, chapter 24, Revised Statutes, entitled 'Proceedings before justices in misdemeanors,'" was taken up, read a third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dungan, Edwards of St. Charles, Gottschalk, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Perkins, Rogers, Rouse and Stephens—23.

ABSENT—Senators Edwards of Lafayette, Heard, McGrath, Naylor and Walker—5.

ABSENT ON LEAVE—Senators Allen, Headlee and Pehle—3.

SICK—Senators Dobyns, Heaston and Jacobs—3.

The title of the bill was read and agreed to.

Senator Byrns moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 248, entitled "An act as to searches and certificates as to judgments," was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Lloyd, McGrath, McMahan, Mabrey, Mackey, Manistre, Manring, Rouse and Stephens—19.

NOES—Senators Cottey, DeArmond, Dungan, Hutt, Morrison, Perkins and Rogers—7.

ABSENT—Senators Headlee, Naylor and Walker—3.

ABSENT ON LEAVE—Senators Allen, Heaston and Pehle—3.

SICK—Senators Dobyns and Jacobs—2.

The title of the bill was read and agreed to.

Senator Bryant moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

On first reading of House bills, the following were taken up and read:

House bill No. 79, entitled "An act entitled an act to provide for the giving bond by *ex officio* collector of county revenue."

House bill No. 470, entitled an act to amend section one hundred and sixty-nine (169), article eight (8), chapter one (1), Revised Statutes, so as to make the deed for land sold on petition of an executor, ad-

ministrator, creditor or other person interested in the estate, to pay debts of the estate, evidence."

Substitute for House bill No. 267, entitled "An act providing for the election of superintendent of the insurance department:"

Substitute for House bill No. 273, entitled "An act to repeal an act entitled 'An act concerning street railroads in the city of St. Louis,' approved January 16, 1860."

Substitute for House bill No. 295, entitled "An act to amend sections seven thousand and thirty-one, seven thousand and thirty-two and seven thousand and thirty-three (7031, 7032 and 7033), chapter one hundred and fifty (150), article one (1), Revised Statutes, 'Of schools.'"

House bill No. 317, entitled "An act to amend section two thousand one hundred and twenty-one, Revised Statutes, chapter 25, entitled 'Of damages and contributions in actions of tort,' and to add three new sections to said chapter."

House bill No. 540, entitled "An act to amend section 6482, chapter 137, Revised Statutes, entitled 'Of peddlers and their license.'"

House bill No. 362, entitled "An act to amend section five hundred and thirteen, Revised Statutes, relating to prosecuting and circuit attorneys."

House bill No. 471, entitled "An act to amend sections four thousand one hundred and fifty-two (4952), four thousand nine hundred fifty-three (4953), and four thousand nine hundred and fifty-five (4955), chapter eighty-nine (89), article five, Revised Statutes, relating to cities, towns and villages."

House bill No. 515, entitled "An act to authorize towns, cities and villages to purchase, receive and hold real estate for the burial of the dead."

House bill No. 727, entitled "An act to amend an act entitled 'An act creating a board of police commissioners, and authorizing the appointment of a permanent police force for the city of Kansas,' approved March 27, 1874, so as to enable the city council, on the recommendation of the board of police commissioners, to increase the number of men on the present police force."

On second reading of House bills, the following were read and referred:

Substitute for House joint and concurrent resolution No. 33, entitled "House joint and concurrent resolution No. 33, submitting an amendment to section 11, article 10 of the Constitution relating to taxation, to the qualified voters of the State of Missouri, to be voted on at the general election to be held on the first Tuesday after the first

Monday in [November, in the year 1882," to Committee on Constitutional Amendments.

House bill No. 204, entitled "An act for the relief of the county of Webster, by a appropriating money to repair the damage done to the public buildings in said county by the cyclones of April 18, 1880," to Committee on Ways and Means.

House bill No. 228, entitled "An act providing for the health and safety of persons employed in coal mines, and providing for the inspection of same," to Committee on Mines and Manufactures.

Substitute for House bill No. 313, entitled "An act to amend section three thousand and ninety-eight (3098), chapter forty-five (45), Revised Statutes, concerning 'Landlords and tenants,'" to Committee on Judiciary.

Substitute for House bill No. 324, entitled "An act to require railroad companies to furnish double decked cars for the shipment of sheep, and a penalty for failing so to do," to Committee on Internal Improvements. •

House bill No. 341, entitled "An act fixing the number of directors of public school boards, and prescribing the qualifications of electors therefor," to Committee on Education.

House bill No. 381, entitled "An act to amend section 3838, chapter 62, Revised Statutes, 'Of recorders of deeds,'" to Committee on Judiciary.

House bill No. 388, entitled "An act to amend section 6662, chapter 145, Revised Statutes, entitled 'Of the assessment and collection of the revenue,'" to Committee on Ways and Means.

House bill No. 399, entitled "An act to amend sections 1117, 1133, 1147 and 1163, article 3, chapter 23, Revised Statutes, in reference to judicial circuits," to Committee on Judiciary.

Substitute for House bill No. 412, entitled "An act to amend section 1145 of article 4, chapter 23, of the Revised Statutes of Missouri, entitled 'Of courts of record,'" to Committee on Judiciary.

House bill No. 439, entitled "An act to amend section six thousand nine hundred and eighty-eight (6988), chapter one hundred and forty-eight (148), Revised Statutes, 'Of salaries,'" to Committee on Retrenchment and Reform.

House bill No. 449, entitled "An act to amend sections 6706 and 6707, article 2; section 6848, article 6, and section 6853, article 7, chapter 145, Revised Statutes, relating to the assessment and collection of the revenue," to Committee on Ways and Means.

House bill No. 476, entitled "A bill for an act to prevent the manufacture and sale of oleaginous substances, or compounds of the same,

in imitation of the pure dairy products," to the Committee on Agriculture.

House bill No. 523, entitled "An act to amend section 1180, article 5, chapter 23, Revised Statutes, 'Of courts of record,'" to Committee on Judiciary.

House bill No. 600, entitled "An act to amend section 1754, article 13, Revised Statutes, entitled 'Arrest and preliminary examination,'" to Committee on Criminal Jurisprudence.

House bill No. 604, entitled "An act to amend section 10, also called section 32, of an act entitled 'an act to amend sections 1, 4, 12 and 13 of an act entitled "an act to establish the Twenty-fourth Judicial Circuit, and to provide for the election of a judge and circuit attorney therefor," approved February 4, 1871, February 7, 1871, and adding thereto the following new sections: 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36,' approved March 24, 1879," to Committee on Judiciary.

On third reading of House bills, substitute for House bill No. 63, entitled "An act to amend section 1151, article 4, chapter 23, Revised Statutes, 'Circuit courts,'" was taken up, read the third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Perkins, Rogers, Rouse and Stephens—26.

ABSENT—Senators Naylor, Pehle and Walker—3.

ABSENT ON LEAVE—Senators Allen, Dobyns and Headlee—3.

SICK—Senators Heaston and Jacobs—2.

The title of the bill was read and agreed to.

Senator Bradley moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Substitute for House bill No. 307, entitled "An act to amend section 1167, chapter 23, article 4, Revised Statutes, 'Of courts of record,'" was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Perkins, Rogers, Rouse and Stephens—26.

ABSENT—Senators Naylor, Pehle and Walker—3.

ABSENT ON LEAVE—Senators Allen, Dobyns and Headlee—3.

SICK—Senators Heaston and Jacobs—2.

The title of the bill was read and agreed to.

Senator Mabrey moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

House bill No. 374, entitled "An act to encourage an increase of the public school fund of the State by gift, grant or devise, as provided for in section 6, article 11 of the Constitution of Missouri, and to provide for its safe and permanent investment," was taken up, read the third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Caldwell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Perkins, Rogers, Rouse and Stephens—24.

ABSENT—Senators Cabell, Naylor, Pehle and Walker—4.

ABSENT ON LEAVE—Senators Allen, Dobyns, Headlee and McGrath—4.

SICK—Senators Heaston and Jacobs—2.

Title of the bill was read and agreed to.

Senator Morrisson moved to reconsider the vote and to lay the motion to reconsider on the table; the latter motion prevailed.

On motion of Senator Heard, House bill No. 451, entitled "An act conferring upon and defining the rights of companies formed for the purpose of supplying cities and towns with pure water," was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrison, Perkins, Rogers, Rouse and Stephens—26.

ABSENT—Senators Naylor, Pehle and Walker—3.

ABSENT ON LEAVE—Senators Allen, Dobyns and Headlee—3.

SICK—Senators Heaston and Jacobs—2.

The emergency clause was then passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Perkins, Rogers, Rouse and Stephens—26.

ABSENT—Senators Naylor, Pehle and Walker—3.

ABSENT ON LEAVE—Senators Allen, Dobyns and Headlee—3.

SICK—Senators Heaston and Jacobs—2.

The title of the bill was read and agreed to.

Senator Lloyd moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Lloyd called up substitute for House bill No. 202, entitled 'An act relating to Texas, Spanish and Indian cattle,' and moved to reconsider the vote by which the bill failed to pass, which motion was 'agreed to.

The question then being, "Shall the bill pass?" it was passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Hutt, Lloyd, McGrath, McMahan, Mackay, Manistre, Manring, Morrisson, Perkins, Rogers, Rouse and Stephens—25.

NO—Senator Mabrey.

ABSENT—Senators Naylor, Pehle and Walker—3.

ABSENT ON LEAVE—Senators Allen, Dobyns and Headlee—3.

SICK—Senators Heaston and Jacobs—2.

The emergency clause then passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Hutt, Lloyd, McGrath, McMahan, Mackay, Manistre, Manring, Morrisson, Perkins, Rogers, Rouse and Stephens—24.

NO—Senator Mabrey.

ABSENT—Senators Cottey, Naylor, Pehle and Walker—4.

ABSENT ON LEAVE—Senators Allen, Dobyns and Headlee—3.

SICK—Senators Jacobs and Heaston—2.

The title of the bill was read and agreed to.

Senator Bradley moved to reconsider the vote by which the bill passed, and lay the motion to reconsider on the table; the latter motion prevailed.

On motion of Senate Edwards of St. Charles, Senate bill No. 137, entitled "An act to amend sections 833, 835 and 842, article 3, chapter 21, Revised Statutes, entitled 'Railroad classification—charges—commissioners,'" was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Edwards of St.

Charles, Gottschalk, Heard, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Perkins, Rogers and Stephens—25.

NO—Senator Rouse.

ABSENT—Senators Naylor, Pehle, and Walker—3.

ABSENT ON LEAVE—Senators Allen, Dobyons and Headlee—3.

SICK—Senators Heaston and Jacobs—2

The title of the bill was read and agreed to.

Senator Edwards of Lafayette moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Edwards of St. Charles submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 67, entitled "An act to revise and amend chapter 150, Revised Statutes, 'Of schools,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

On motion of Senator Caldwell, the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

On motion of Senator Cottey, the Senate took a recess for fifteen minutes.

The recess having expired, the President called the session to order, and, on motion of Senator Morrisson, the Senate adjourned until 10 o'clock to-morrow morning.

FIFTY-SEVENTH DAY—TUESDAY, March 15.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

Senator Morrisson submitted the following report from the Committee on Education, which was read :

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate bill No. 243, entitled "An act to amend chapter 129, Revised Statutes, 1879, 'Of merchants licenses,' by adding a new section thereto providing for the assessment and collection of school taxes by collectors," beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment.

Senate bill No. 243 was taken up and the following amendment reported by the committee was read first and second times and 50 copies ordered printed :

Amend by striking out all after the enacting clause and inserting the following: Section 1. Add to chapter 129 of the Revised Statutes, "Of merchants' licenses," a new section to be numbered section 6341, as follows: The collector of the revenue in cities having more than three hundred thousand inhabitants shall assess and collect upon all statements of merchants and manufactures received by him under any law or ordinance of such city the same rate for school tax which is assessed on real estate for school purposes during the current year in which such licenses are issued.

Senator Edwards of St. Charles submitted the following reports from the Committee on Engrossed bills, which were read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 169, entitled "An act to amend section 790, chapter 21, article 2, Revised Statutes, entitled 'Railroad companies,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom

was referred Senate bill No. 232, entitled "An act for the relief of Edward Price, and to appropriate money therefor," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 227, entitled "An act to amend section 5607, chapter 103, Revised Statutes, entitled 'Of fees,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 185, entitled "An act to amend sections 5442 and 5464, chapter 98, Revised Statutes, entitled 'Of dramshops,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 247, entitled "An act to provide for the indexing of the minutes of judges of courts of record in certain cases," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read:

MR. PRESIDENT: Your Committee on Ways and Means to whom was referred Senate bill No. 251, entitled "An act to amend sections 5083, 5084 and 5089, article 7, chapter 91, Revised Statutes, entitled 'Commissioner of Permanent Seat of Government,'" beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendments.

Senate bill No. 251 was taken up and the following amendment, reported by the committee, was agreed to:

Amend by striking out all after the enacting clause, and insert in lieu thereof the following: Section 1. That section 5083, chapter 91 of the Revised Statutes of Missouri, be and the same is hereby amended, by striking out the words "three hundred and fifty," in lines 6 and 7, and by inserting in lieu thereof the following words: "six hundred," so that said section as amended, shall read as follows: Section 5083. There shall be appointed by the Governor and Secretary of State, State Auditor, State Treasurer and Attorney-General, a Commissioner of the Permanent Seat of Government, who shall hold his office at the pleas-

ure of said Governor, Secretary of State, State Auditor, State Treasurer and Attorney-General, and shall receive such compensation as they shall determine, not to exceed six hundred dollars a year.

Senator Cottey offered the following amendment to the title, which was read and agreed to:

Amend the title by striking out the same, and insert in lieu thereof the following: "An act to amend section 5083, chapter 91 of the Revised Statutes of Missouri, entitled 'Commissioner of Permanent Seat of Government.'"

The bill was then ordered engrossed by the following vote, the ayes and nays being demanded:

AYES—Senators Bradley, Bryant, Byrns, Cabell, Cottey, Headlee, Lloyd, McGrath, McMahan, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse and Walker—16.

NOES—Senators Bland, Caldwell, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Hutt, Mabrey, Mackay, Manistre, Manring and Stephens—15.

ABSENT ON LEAVE—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 586, entitled "An act to subject the taking of changes of venue in criminal causes from one court to another in the same county to the provisions of the General Statutes of Missouri in reference to taking of changes of venue in criminal cases," beg leave to report that they have considered the same, and recommend that it do pass.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred substitute for House bill No. 412, entitled "An act to amend section 1145, article 4, chapter 23, General Statutes of 1879, 'Of courts of record,'" beg leave to report that they have considered the same, and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 421, entitled "An act to make trustees' and mortgagees' deeds, evidence," beg leave to report that they have considered the same, and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 249, entitled "An act to amend section 1150,

article 4, chapter 23 of the Revised Statutes of Missouri, entitled 'Of courts of record,' beg leave to report that they have considered the same, and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 399, entitled "An act to amend sections 1117, 1133, 1147 and 1163, article 3, chapter 23, Revised Statutes, in reference to judicial circuits," beg leave to report that they have considered the same, and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 604, entitled "An act to amend section 10, also called section 32 of an act entitled 'An act to amend sections 1, 4, 12 and 13 of an act entitled "An act to establish the twenty-fourth judicial circuit, and to provide for the election of a judge and circuit attorney therefor," approved February 4, 1871,' and adding hereto the following new sections: 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36, approved March 24, 1879," beg leave to report that they have considered the same, and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred substitute for House bill No. 221, entitled "An act in relation to the filing of abstracts of judgments to secure liens in the cities in the State of Missouri, having over one hundred thousand inhabitants, the duties of clerks in relation thereto, and the repeal of all acts or parts of act inconsistent with this act," beg leave to report that they have considered the same, and recommend that it do pass.

Senate bill No. 249 was taken up and ordered engrossed.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read:

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred substitute for House bill No. 164, entitled "An act to provide for the reimbursement of certain townships in certain counties of the State of Missouri out of the State revenue, for moneys heretofore paid into the State Treasury belonging to said townships," beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment.

Substitute for House bill No. 164, entitled "An act to provide for the reimbursement to certain townships in certain counties of the State of Missouri, out of the State revenue, for moneys heretofore paid into the State Treasury belonging to said townships;" was taken up and the following amendment reported by the committee was read:

Amend section 3 by striking out the words "a sufficient sum," in

line 2, printed bill, and inserting in lieu thereof the following: "the sum of two thousand dollars, (\$2,000.00)."

The ayes and noes being demanded, the amendment was agreed to by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Cabell, Cottey, De-Armond, Dobyns, Dungan, Edwards of St. Charles, Heard, Lloyd, Mc-Grath, McMahan, Mabrey, Morrisson, Naylor, Perkins, Rogers, Stephens and Walker—20.

NOES—Senators Bland, Caldwell, Edwards of Lafayette, Gottschalk, Headlee, Hutt, Mackay, Manistre, Manring, Pehle and Rouse—11.

ABSENT ON LEAVE—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read:

MR. PRESIDENT: Your Committee on Ways and Means to whom was referred House bill No. 444, entitled "An act to provide for surplus fund accruing from the sale of real estate," beg leave to report that they have considered the same, and a majority of your committee recommend that it do not pass.

House bill No. 444 was taken up, and laid over informally.

The following message was received from the House of Representatives, through Mr. Hawley, Chief Clerk:

MR. PRESIDENT: I am instructed by the House, to inform the Senate that the House has taken up and passed House bill No. 239, entitled "An act making county treasurers ex officio county collectors in counties having adopted township organization, and defining his duties;"

Also, House bill No. 132, entitled "An act to amend section 5632, Revised Statutes, relating to 'Fees:'"

Also, House bill No. 427, entitled "An act to provide for working and repairing public roads in counties having an assessed valuation of fifteen million dollars or more, and more than one hundred and fifty miles of macadamized and graveled roads"—

In which the concurrence of the Senate is respectfully requested.

And that the House has also taken up and passed Senate bill No. 91, entitled "An act to amend sections 7169 and 7171, chapter 150, article 3, Revised Statutes, entitled 'Normal schools:'"

Also, Senate bill No. 83, entitled "An act to appropriate money to pay Mrs. Kate O. Mitchell, of Jefferson county, for certain outstanding Union Military Bonds, and to provide for the cancellation of the same:"

Also, Senate bill No. 18, entitled "An act for the relief of L. C. Lohman, and to appropriate money therefor :"

Also, Senate bill No. 132, entitled "An act to amend section 3729 of article 11 of chapter 59 of the Revised Statutes of Missouri, entitled 'Of changes of venue :'"

Also, Senate bill No. 172, entitled "An act relating to the distribution of books published by authority of the State of Missouri :"

Also, substitute for Senate joint and concurrent resolution No. 9, entitled "Joint and concurrent resolution authorizing and directing the Secretary of State to deliver to the Librarian of the State University eight copies of the Revised Statutes of Missouri :"

Also taken up, amended and passed Senate joint and concurrent resolution No. 4, entitled "Joint and concurrent resolution urging Congress to aid the construction of a ship railway across the Isthmus of Tehuantepec :"

Also, Senate bill No. 114, entitled "An act to amend section 3046, article 9, chapter 44 of the Revised Statutes of Missouri, entitled 'Of justices' courts :'"

Also, Senate bill No. 155, entitled "An act to amend section 295, article 14, chapter 1, Revised Statutes, relating to appeals in administration :"

Also, Senate bill No. 168, entitled "An act to amend section 7469, article 7, chapter 162, Revised Statutes, entitled 'Of township trustees and their duties :'"

Also taken up, amended and passed Senate bill No. 85, entitled "An act for the relief of the heirs of Alexander H. Henderson :"

In which the concurrence of the Senate is respectfully asked.

The President announced that all other business would be suspended, and directed the Secretary to read at length substitute for House bills Nos. 19, 29, 36, 42, 50, 52, 72, 80 and 129, entitled "An act to amend sections 6685, 6688, 6695, 6699, 6705, 6707, 6716, 6717 and 6718, article 2, chapter 145, Revised Statutes, entitled 'Assessors and the assessment of property,' by changing the time of assessment from August first to June first, and to provide for the listing and assessment of real estate biennially ;" the bill was read at length—no objections made—signed by the President, in the presence of the Senate, in open session, and no other business intervening.

The President directed that substitute for House bill No. 285, entitled "An act to amend sections four thousand nine hundred and thirty-seven (4937), and four thousand nine hundred and thirty-eight (4938), article five (5), chapter eighty-nine (89), Revised Statutes, 'Of cities of the fourth class ;'" be read at length, and that he would sign

the same to the end that it may become a law. Said bill was read, signed by the President, no objections being made, in the presence of the Senate.

The President directed that substitute for House bill No. 297, entitled "An act to amend section 7445, article 4, chapter 162, Revised Statutes, relating to method of holding township elections;" be read at length—and that he would sign the same unless objections be made. The bill was read, and signed by the President in the presence of the Senate, in open session.

Substitute for House bill No. 92, entitled "An act to amend chapter 147, section 6942, Revised Statutes, was read at length, and no objection being made, was signed by the President in open session, and in the presence of the Senate.

Senator Bradley submitted the following report from the Committee on Enrolled Bills, which was read :

MR. PRESIDENT: Your Committee on Enrolled Bills, have carefully examined, and find truly enrolled Senate bill No. 96, entitled "An act to appropriate money for the payment of the National Bank of Commerce, of the City of New York, fiscal agent of the State, for the payment of bonds of the State and interest coupons as they fell due, from the year 1872 to December 31, 1880."

The President announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No. 96, entitled "An act to appropriate money for the payment of the National Bank of Commerce of the City of New York, fiscal agent of the State, for the payment of bonds of the State, and interest coupons as they fell due, from the year 1872 to December 31, 1880;" and stated that, unless objection being made, he would sign the same to the end that it may become a law.

Said bill was read at length by the Secretary, and the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto; said bill was immediately sent to the House of Representatives for the signature of the Speaker.

Senate bill No. 96 having been signed by the President of the Senate and Speaker of the House, was, by the Secretary, this day presented to the Governor for his approval.

Senator Mabrey submitted the following report from the Committee on Swamp Lands, which was read :

MR. PRESIDENT: Your Committee on Swamp Lands, to whom was referred House bill No. 689, entitled "An act to regulate the expense and supervision of reclaiming contiguous bodies of swamp and over-

flowed lands situate in two or more counties in this State," beg leave to report that they have considered the same, and recommend that it do pass.

Senator Edwards of St. Charles submitted the following reports from the Committee on Engrossed Bills, which were read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 230, entitled "An act to amend section 6938, chapter 147, Revised Statutes, entitled 'Of roads and higgways,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Senate bill No. 237, entitled "An act to provide for publication of ordinances of incorporated towns and cities," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senate bill No. 252, entitled "An act to amend section 2, chapter 6 of the Appendix to the Revised Statutes of Missouri, of laws especially applicable to the city of St. Louis, concerning the police," was read second time and referred to Committee on Criminal Jurisprudence.

On motion of Senator Gottschalk, the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Senator Bradley called up Senate bill No. 100 with the following House amendment, the same having been printed for the use of the Senate—Insert the words "or used," in the sixth line, after "kept"—which was read and concurred in by the following vote:

AYES—Senators Bradley, Bryant, Bland, Cabell, Caldwell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Lloyd, Mabrey, Mackay, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—26.

ABSENT—Senators Byrns, Dobyns, McGrath, McMahan and Manistre—5.

ABSENT ON LEAVE—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

Senator Lloyd called up Senate bill No. 142, entitled "An act to amend the laws in relation to the sale and lease of the Agricultural College lands, and the investment of the proceeds as a permanent fund for the endowment and support of the Agricultural and Mechanical College and School of Mines and Metallurgy, being a department of the State University;" which was read third time and failed to pass by the following vote:

AYES—Senators Bradley, Bland, Caldwell, Edwards of Lafayette, Gottschalk, Headlee, Hutt, Lloyd, McMahan, Mabrey, Morrisson, Pehle, Perkins, Rogers and Rouse—15.

NOES—Senators Bryant, Cabell, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Heard, McGrath, Mackay, Manistre, Manring and Stephens—12.

ABSENT—Senators Byrns, Cottey, Naylor and Walker—4.

ABSENT ON LEAVE—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

On third reading of Senate bills, Senate bill No. 185, entitled "An act to amend sections 5442 and 5464, chapter 98, Revised Statutes, entitled 'Of dramshops,'" was taken up, read third time and passed by the following vote:

AYES—Senators Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Heard, Hutt, McGrath, Mabrey, Manring, Naylor, Perkins, Rouse, Stephens and Walker—18.

NOES—Senators Bryant, Edwards of St. Charles, Gottschalk, Headlee, Lloyd, McMahan, Mackay, Manistre, Morrisson, Pehle and Rogers—11.

ABSENT—Senators Bradley and Byrns—2.

ABSENT ON LEAVE—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

The title of the bill was read and agreed to.

Senator Dobyns moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read:

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred substitute for House bill No. 186, entitled "An act to ap-

propriate money for the support of the State government for the years 1881 and 1882," beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendments.

Substitute for House bill No. 186 was taken up and laid over informally with the amendments reported by the committee.

The following message was received from the Governor through his Private Secretary, Mr. Farr:

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, }
March 15, 1881. }

HON. ROBERT A. CAMPBELL, *President of the Senate*:

SIR: I return to the Senate, with my approval indorsed thereon, bills of the following titles:

"An act to provide for the making of settlements with the State Auditor and State Treasurer, and the examination of the condition and affairs of State offices generally, the Governor's excepted, in cases where such settlement has not been or shall not be made, or has not been or shall not be reported to and acted on by the General Assembly, as required by law;"

"An act to provide for the manner of submission of constitutional amendments to a vote of the people;"

And a joint and concurrent resolution of the following title: "Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to use all means in their representative capacity to establish an efficient territorial government in the Indian Territory, and to open the public lands in said territory belonging to the Government to settlement under the homestead and pre-emption laws of the United States."

Very respectfully,

THOS. T. CRITTENDEN.

Senate bill No. 227, entitled "An act to amend section 5607, chapter 103, Revised Statutes, entitled 'Of fees,'" was taken up, read third time and passed by the following vote:

AYES—Senators Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—28.

ABSENT—Senators Bradley, Edwards of St. Charles and Heard—3.

ABSENT ON LEAVE—Senator Allen.

SICK—Senator Heaston and Jacobs—2.

The title of the bill was read and agreed to.

Senator Rouse moved to reconsider the vote by which the bil

passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 230, entitled "An act to amend section 6938, chapter 147, Revised Statutes of Missouri, entitled 'Of roads and highways,'" was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—30.

ABSENT—Senator Heard.

ABSENT ON LEAVE—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

The title of the bill was agreed to.

Senator Dobyns moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 232, entitled "An act for the relief of Edward Price, and to appropriate money therefor," was taken up, read third time and passed by the following vote:

AYES—Senators Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse, Stephens and Walker—28.

ABSENT—Senators Bradley, Edwards of St. Charles and Perkins—3.

ABSENT ON LEAVE—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

The title of the bill was read and agreed to.

Senator Hutt moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 237, entitled "An act to provide for publication of ordinances of incorporated towns and cities," was taken up, read third time and passed by the following vote:

AYES—Senators Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay,

Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rouse, Stephens and Walker—28.

NO—Senator Rogers.

ABSENT—Senators Bradley and Edwards of St. Charles—2.

ABSENT ON LEAVE—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

The emergency clause was then passed by the following vote:

AYES—Senators Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—30.

ABSENT—Senator Bradley.

ABSENT ON LEAVE—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

The of the bill was read and agreed to.

Senator Lloyd moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table. The latter motion prevailed.

Senate bill No. 247, entitled "An act to provide for the indexing of the minutes of judges of courts of record in certain cases," was taken up, read third time and passed by the following vote:

AYES—Senators Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—29.

ABSENT—Senators Bradley and Edwards of St. Charles—2.

ABSENT ON LEAVE—Senator Allen.

SICK—Senator Heaston and Jacobs—2.

The title of the bill was read and agreed to.

Senator Heard moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table. The latter motion prevailed.

Senate bill No. 169, entitled "An act to amend section 790, chapter 21, article 2 of the Revised Statutes of the Missouri, entitled 'Railroad companies,'" was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dungan, Edwards of St. Charles, Gottschalk, Heard, McGrath, McMahan, Mabrey, Manistre, Morrisson, Naylor, Perkins, Rogers, Stephens and Walker—21.

NOES—Senators DeArmond, Dobyns, Edwards of Lafayette, Headlee, Hutt, Lloyd, Mackey, Manring, Pehle and Rouse—10.

ABSENT ON LEAVE—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

The question recurring on the emergency clause of said bill the same was passed by the following vote :

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—29.

NOES—Senators DeArmond and Dobyns—2.

ABSENT—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

The title of the bill was read and agreed to.

Senator Heard moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Morrisson called up Senate bill No. 67, entitled "An act to Revise and amend chapter 150 of the Revised Statutes of Missouri, 'Of schools,'" which was read third time and failed to pass by the following vote :

AYES—Senators Bryant, Bland, Cabell, Caldwell, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Lloyd, Mackay, Manistre, Manring, Morrisson, Pehle, Rogers and Walker—16.

NOES—Senators Bradley, Byrns, Cottey, DeArmond, Dobyns, Edwards of St. Charles, Heard, Hutt, McGrath, McMahan, Mabrey, Naylor, Perkins, Rouse and Stephens—15.

ABSENT ON LEAVE—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

Senator DeArmond called up Senate bill No. 73, entitled "An act to appropriate money for the redemption of Union Military bonds, held for the redemption by Donaldson & Fraley of St. Louis, Missouri; Daniel Baldrige of Sullivan county, J. C. Lindley of Dade county, Abe S. Scott of Boone county, and C. E. Ilgenfritz of Pettis county, Missouri," which was read third time and passed by the following vote :

AYES—Senators Bland, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Stephens and Walker—23.

NOES—Senators Dungan, Lloyd and Rouse—3.

ABSENT—Senators Bradley, Bryant, Byrns, Caldwell and Cabell—5.

ABSENT ON LEAVE—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

The title of the bill was read and agreed to.

Senator DeArmond moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; which latter motion prevailed.

On first reading of House bills, the following were taken up and read :

House concurrent resolution No. 25, entitled "Concurrent resolution authorizing the Adjutant-General of the State of Missouri to with-certain original vouchers from the State Auditor's office, and file them in the treasury department of the United States, and to withdraw the certified copies on file there."

House bill No. 132, entitled "An act to amend section 5632 of the Revised Statutes, relating to fees."

House bill No. 239, entitled "An act entitled an act making county treasurers ex-officio collectors in counties having adopted township organization, and defining his duties."

House bill No. 427, entitled "An act to provide for working and repairing public roads in counties having an assessed valuation of fifteen million dollars or more, and more than one hundred and fifty miles of macadamized and graveled roads."

House bill No. 78, entitled "An act to amend chapter 21, article 2, section 781 of the Revised Statutes of Missouri of 1879, entitled 'Rail-road companies.'"

Substitute for House bill No. 282, entitled "An act to provide for the public printing and to elect public printer."

House bill No. 428, entitled "An act for the relief Sewall W. Smith and James R. Jones."

House bill No. 486, entitled "An act to amend section one thousand and nine hundred and four (1904), article eighteen (18), chapter twenty-four (24) of the Revised Statutes of the State of Missouri, entitled 'Of crimes and criminal procedure.'"

House bill No. 459, entitled "An act entitled an act to regulate the sale of medicines and poisons by druggists and pharmacists."

House bill No. 590, entitled "An act to provide for the payment of Fees in the St. Louis court of criminal correction."

On second reading of House bills, the following were taken up, read and referred :

House bill No. 79, entitled "An act entitled an act to provide for the giving of bond by ex officio collector of county revenue," to Committee on Ways and Means.

House bill No. 362, entitled "An act to amend section 513, Revised Statutes of 1879, relating to prosecuting and circuit attorneys," to Committee on Criminal Jurisprudence.

Substitute for House bill No. 267, entitled "An act providing for the election of superintendent of the insurance department," to Committee on Insurance.

Substitute for House bill No. 273, entitled "An act to repeal an act entitled 'An act concerning street railroads in the city of St. Louis,' approved January 16, 1860," to Committee on Internal Improvements.

Substitute for House bill No. 295, entitled "An act to amend sections seven thousand and thirty-one, seven thousand and thirty-two and seven thousand and thirty-three (7031, 7032 and 7033) of chapter one hundred and fifty (150), article one (1) of the Revised Statutes of Missouri, 'Of schools,'" to Committee on Education.

House bill No. 317, entitled "An act to amend section two thousand, one hundred and twenty-one of the Revised Statutes of Missouri of 1879, chapter 25, entitled 'Of damages and contributions in actions of tort,' and to add three new sections to said chapter," to Committee on Criminal Jurisprudence.

House bill No. 470, entitled "An act to amend section one hundred and sixty-nine (169), article eight (8), chapter one (1), Revised Statutes, so as to make the deed for land sold on petition of an executor, administrator, creditor or other person interested in the estate, to pay debts of the estate, evidence," to Committee on Judiciary.

House bill No. 471, entitled "An act to amend sections four thousand nine hundred and fifty-two (4952), four thousand nine hundred and fifty-three (4953), and four thousand and nine hundred and fifty-five (4955), chapter eighty-nine (89), article five, Revised Statutes, relating to cities, towns and villages," to Committee on Banks and Corporations.

House bill No. 515, entitled "An act entitled an act to authorize towns, cities and villages to purchase, receive and hold real estate for the burial of the dead," to Committee on Banks and Corporations.

House bill No. 540, entitled "An act to amend section 6432, chapter 137, Revised Statutes, entitled 'Of peddlers and their license,'" to Committee on Criminal Jurisprudence.

House bill No. 727, entitled "An act to amend an act entitled 'An act creating a board of police commissioners, and authorizing the appointment of a permanent police force for the city of Kansas,' approved March 27, 1874, so as to enable the city council, on the recommendation of the board of police commissioners, to increase the number of men on the present police force," to Committee on Banks and Corporations.

The following message was received from the House of Representatives through Mr. Hawley, Chief Clerk:

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed by the House, concurrent resolution No. 25, entitled "Concurrent resolution authorizing the Adjutant-General of the State of Missouri to withdraw certain original vouchers from the State Auditor's office, and file them in the Treasury Department of the United States, and to withdraw the certified copies on file there."

Also, has taken up substitute for House bill No. 47, entitled "An act requiring the owners of hedges along highways to have them cut down to the height of five feet after said hedges are five years old," and concurred in the following Senate amendments thereto: "Amend section 1 by striking out all of said section after the word 'of,' in third line, printed bill, and inserting in lieu thereof the following: 'Not more than five feet nor less than four feet once in every two years: *Provided*, That hedge fences inclosing orchards, house-yards and stock yards shall be exempted from the provisions of this act.' Amend title so as to read as follows: 'An act requiring the owners of hedges along highways to have them cut down to the height of not more than five feet nor less than four feet after said hedges are five years old in certain cases:'"

Also, House bill No. 78, entitled "An act to amend chapter 21, article 2, section 781, Revised Statutes, entitled 'Railroad companies:'"

Also, House bill 428, entitled "An act for the relief of Sewall W. Smith and James R. Jones:"

Also, House bill No. 486, entitled "An act to amend section one thousand nine hundred and four (1904), article eighteen (18), chapter twenty-four (24), Revised Statutes, entitled 'Of crimes and criminal procedure:'"

Also, House bill No. 459, entitled "An act to regulate the sale of medicines and poisons by druggists and pharmacists:"

Also, House bill No. 590, entitled "An act to provide for the payment of the fees in the St. Louis Court of Criminal Correction:"

Also, substitute for House bill No. 282, entitled "An act to provide for the public printing and to elect a public printer."

Senator Morrisson submitted the following report from the Committee on Education, which was read:

MR. PRESIDENT: Your Committee on Education to whom was referred House bill No. 341, entitled "An act fixing the number of directors of public school boards and prescribing the qualifications of elec-

tors thereof," beg leave to report that they have considered the same, and recommend that it do pass.

Senator Naylor submitted the following report from the Committee on Insurance, which was read :

MR. PRESIDENT: Your Committee on Insurance to whom was referred House bill No. 441, entitled "An act to amend section 5998, article 3 of chapter 119 entitled insurance other than life," beg leave to report that they have considered the same, and recommend that it do pass.

On third reading of House bills, substitute for House bill No. 164, entitled "An act to provide for the reimbursement to certain townships in certain counties of the State of Missouri, out of the State revenue, for moneys heretofore paid into the State Treasury belonging to said townships," was taken up read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Edwards of St. Charles, Heard, McGrath, Mabrey, Mackay, Morrisson, Naylor, Perkins, Rogers, Rouse, Stephens and Walker—19.

NOES—Senators DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Hutt, Lloyd, Manistre, Manring and Pehle—11.

ABSENT—Senators McMahan and Allen—2.

SICK—Senators Heaston and Jacobs—2.

The title of the bill was read and agreed to.

Senator Cottey moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Substitute for House bill No. 221, entitled "An act in relation to the filing of abstracts of judgments to secure liens in cities in the State of Missouri having over one hundred thousand inhabitants, the duties of clerks in relation thereto, and the repeal of all acts or parts of acts inconsistent with this act," was taken up read third time and failed to pass by the following vote:

AYES—Senators Byrns, Cabell, Caldwell, DeArmond, Dungan, Heard, Mabrey, Mackay, Manring, Naylor, Pehle, Perkins, Stephens and Walker—14.

NOES—Senators Bland, Cottey, Dobyns, Edwards of Lafayette, Headlee, Hutt, Lloyd, Manistre, Morrison, Rogers and Rouse—11.

ABSENT—Senators Bradley, Bryant, Edwards of St. Charles, Gottschalk, Allen, Jacobs, McGrath and McMahan—8.

SICK—Senator Heaston.

Senate bill No. 399, entitled "An act to amend sections 1117, 1133,

1147 and 1163, article 3, chapter 23, Revised Statutes, in reference to judicial circuits," was taken up read third time and passed by the following vote:

AYES—Senators Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Lloyd, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—27.

ABSENT—Senators Bradley, Bryant, McGrath and McMahan—4.

ABSENT ON LEAVE—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

The title of the bill was read and agreed to.

Senator Hutt moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Substitute for House bill No. 412, entitled "An act to amend section 1145, article 4, chapter 23, Revised Statutes, entitled 'Of courts of record,'" was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Lloyd, McGrath, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—29.

ABSENT—Senators Bryant and McMahan—2.

ABSENT ON LEAVE—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

The emergency clause of said bill was passed by the following vote:

AYES—Senators Bradley, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Lloyd, McGrath, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—29.

ABSENT—Senators Bryant and McMahan—2.

ABSENT ON LEAVE—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

The title of the bill was read and agreed to.

Senator Walker moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

House bill No. 421, entitled "An act to make trustees' and mort-

gagees' deeds, evidence," was taken up, read third time and passed by the following vote :

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, DeArmond, Dobyys, Dungan, Edwards of St. Charles, Gottschalk, Headlee, Heard Hutt, McGrath, Mabrey, Mackay, Manistre, Manring, Morrison, Naylor, Perkins, Rogers and Stephens—24.

NOES—Senators Cottey, Edwards of Lafayette, Lloyd, Pehle and Rouse—5.

ABSENT—Senators McMahan and Walker—2.

ABSENT ON LEAVE—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

The title of the bill was read and agreed to.

Senator Bradley moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

House bill No. 586, entitled "An act to subject the taking of changes of venue in criminal causes from one court to another in the same county to the provisions of the General Statutes of Missouri, in reference to the taking of changes of venue in criminal causes," was taken up, read third time and passed by the following vote :

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyys, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Lloyd, McGrath, Mabrey, Mackay, Manistre, Manring, Morrison, Naylor, Pehle, Perkins, Rogers, Rouse and Stephens—29.

ABSENT—Senators McMahan and Walker—2.

ABSENT ON LEAVE—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

The emergency clause of said bill passed by the following vote :

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyys, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Lloyd, McGrath, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse and Stephens—29.

ABSENT—Senators McMahan and Walker—2.

ABSENT ON LEAVE—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

The title of the bill was read and agreed to.

Senator Bryant moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

House bill No. 604, entitled "An act to amend section 10, also

called section 32, of an act entitled 'an act to amend sections 1, 4, 12 and 13, of an act entitled an act to establish the Twenty-fourth Judicial Circuit, and to provide for the election of a judge and circuit attorney therefor, approved February 4, 1871, and adding thereto the following new sections: 27, 28, 29, 30, 21, 32, 33, 34, 35 and 36,' approved March 24, 1879," was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Lloyd, McGrath, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—30.

ABSENT—Senator McMahan.

ABSENT ON LEAVE—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

The emergency clause passed by the following vote:

AYES—Senators Bradley, Brāfant, Byrns, Bland, Cabell, Caldwell, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Lloyd, McGrath, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Stephens and Walker—28.

NO—Senator Rouse.

ABSENT—Senators Cottey and McMahan—2.

ABSENT ON LEAVE—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

The title of the bill was read and agreed to.

Mr. Bryant moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

The following message was received from the House of Representatives through Mr. Hannay, Assistant Chief Clerk:

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed in the House, House bill No. 391, entitled "An act to amend section 5745, chapter 112, Revised Statutes, entitled 'Of immigration;'"

Also, House bill No. 363, entitled "An act entitled an act to amend section 5216, chapter 94, Revised Statutes, 'Of county boundaries;'"

Also, House bill No. 525, entitled "An act to amend section 1163, chapter 23, article 4, Revised Statutes, relating to courts of record."

In which the concurrence of the Senate is respectfully requested.

House bill No. 689, entitled "An act to regulate the expense and

supervision of reclaiming contiguous bodies of swamp and overflowed lands situate in two or more counties in this State," was taken up, read third time and passed by the following vote :

AYES—Senators Bradley, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Heard, Hutt, McGrath, Mabrey, Mackey, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—26.

NOES—Senators Headlee and Lloyd—2.

ABSENT—Senators Bryant, Edwards of St. Charles and McMahan—3.

ABSENT ON LEAVE—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

The emergency clause failed to pass by the following vote :

AYES—Senators Byrns, Bland, Cabell, Caldwell, Cottey, Dungan, Edwards of Lafayette, Headlee, Heard, Hutt, McGrath, Mabrey, Mackey, Manistre, Manring, Morrison, Naylor, Pehle, Perkins, Rogers, Stephens and Walker—22.

NOES—Senators DeArmond, Dobyns, Gottschalk, Lloyd and Rouse—5.

ABSENT—Senators Bradley, Bryant, Edwards of St. Charles and McMahan—4.

ABSENT ON LEAVE—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

Senator Dobyns moved to reconsider the vote by which the emergency clause failed to pass, which was agreed to.

The emergency clause then passed by the following vote :

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Lloyd, McGrath, Mabrey, Mackey, Manistre, Manring, Morrison, Naylor, Pehle, Perkins, Rogers, Stephens and Walker—28.

NOES—Senators DeArmond and Rouse—2.

ABSENT—Senator McMahan.

ABSENT ON LEAVE—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

The title of the bill was read and agreed to.

Senator Cottey moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

House bill No. 341, entitled "An act fixing the number of directors of public school boards and prescribing the qualifications of elec-

tors therefor," was taken up, read third time and passed by the following vote :

AYES—Senators Bland, Cabell, Caldwell, Cottey, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Hutt, Lloyd, McGrath, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—24.

NOES—Senator Bryant.

ABSENT—Senators Byrns, Bradley, DeArmond, Dobyns, Headlee and McMahan—6.

ABSENT ON LEAVE—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

The title of the bill was read and agreed to.

Senator Naylor moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

House bill No. 441 was taken up and laid over informally.

On first reading of House bills the following 'were taken up and read :

House bill No. 363, entitled "An act, entitled an act to amend section 5216, chapter 94 of the Revised Statutes of Missouri, 'Of county boundaries.'"

House bill No. 391, entitled "An act to amend section 5745 of chapter 112 of the Revised Statutes of Missouri of 1879, entitled 'Of immigration.'"

House bill No. 525, entitled "An act to amend section 1163, chapter 23, article 4 of the Revised Statutes of the State of Missouri, relating to 'Courts of record.'"

Senator Bryant introduced Senate bill No. 253, entitled "An act to apportion representatives and to divide the State into Senatorial districts ;" which was read first time and 50 copies ordered printed.

Senator Mackay submitted the following report from the Committee on Retrenchment and Reform, which was read :

MR. PRESIDENT: Your Committee on Retrenchment and Reform to whom was referred substitute for House bill No. 439, entitled "An act to amend section 6988, chapter 148, Revised Statutes, entitled 'Of salaries,'" beg leave to report that they have considered the same, and recommend that it do pass.

Senator Heard called up House bill No. 441, entitled "An act to amend section 5998, article 3, chapter 119, revised Statutes, entitled 'Insurance other than life,'" and offered the following amendment, which was agreed to :

Amend by striking out of line 14 the words "such a," and inserting in lieu thereof the word "any;" the bill was then read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, McMahan, Mabrey, Mackay, Manistre, Morrisson, Naylor, Perkins, Rogers, Stephens and Walker—28.

NOES—Senators Lloyd, Manning, Pehle and Rouse—4.

ABSENT—Senator McGrath.

ABSENT ON LEAVE—Senator Allen.

SICK—Senators Heaston and Jacobs—2.

The title of the bill was read and agreed to.

Senator Naylor moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Substitute for House bill No. 186 was taken up, and the following House amendments read for information:

Amendment No. 1. Amend section 3 by striking out the words "one-third," in line 3, printed bill, and by inserting in lieu thereof the words "one-fourth."

Amendment No. 2. Amend section 5 by striking out the words and figures "three hundred and twenty-three dollars (\$323)," and in lines 19 and 20, printed bill, and by inserting in lieu thereof the words and figures "two hundred and nine dollars and seventy-two cents (\$209.72)."

Amendment No. 3. Amend section 5 by striking out all after the word "ninth," in line 5, printed bill, down to, and including the word "tenth," in line 57 of said section.

Amendment No. 4. Amend section 6 by striking out in lines 7, 8 and 9, printed bill, the following words and figures: "*Provided*, That seven thousand five hundred dollars (\$750) of this amount be expended for engine and pipe for water supplies."

Amendment No. 5. Amend section 6 by striking out all between the figures (\$15,800), in the 11th line, printed bill, and the words "and for the salaries," in line 22, and inserting in lieu thereof the following: "For the support of lunatic asylum No. 2 at St. Joseph, twenty-five thousand dollars (\$25,000), out of which amount seven thousand five hundred dollars (\$7,500), or so much thereof as may be necessary shall be used for the purchase of surgical instruments, for supplying water for the asylum, for refurnishing the asylum, for building an ice house, for cementing basement walls of the asylum, for repairing the

floor of the basement, laying walks around the asylum, building a coal house, improving the grounds, and plastering and completing the rooms of the upper story of the building."

Amendment No. 6. Amend section 6 by striking out the words and figures "fifty-six thousand five hundred and sixty-four dollars (\$56,564)," in lines 31 and 32, printed bill, and insert in lieu thereof the following: "Seventy thousand dollars (\$70,000)."

Amendment No. 7. Amend section 8 by striking out the following words and figures: "Eighteen thousand dollars (\$18,000)," in line 10, printed bill, and insert in lieu thereof the following: "Twenty-five thousand dollars (\$25,000)."

Amendment No. 8. Amend section 9, in lines 4 and 5, printed bill, by striking out the words and figures "Two hundred and seventy-five thousand dollars (\$275,000.00)," and by inserting in lieu thereof the words and figures, "Three hundred and forty thousand dollars (\$340,000.00)," and by adding thereto the following: "For the pay of pensioners for the years 1881 and 1882 (under acts of 1841, 1844 and 1845) the sum of two hundred dollars (\$200.00); and for the apprehension of criminals and suppression of outlawry the sum of fifteen thousand dollars (\$15,000.00)."

Amendment No. 9. Amend by striking out all of section 10, and by inserting in lieu thereof the following, viz: "Section 10. For the penal department there is hereby appropriated out of the Treasury for the purpose of defraying the current expenses of the Penitentiary and for paying the salaries of the Warden, Inspectors, Physician, Chaplain, Matron, guards and employes of said institution, chargeable to the earnings arising from the labor of convicts, the keeping of United States prisoners, or from any source of income to said institution, the sum of two hundred and fifty thousand dollars (\$250,000). For salary and pay of the Warden, Inspectors, Physician, Chaplain, Matron, guards and other employes of the Penitentiary, eighty thousand dollars (\$80,000.00) chargeable to the revenue fund: *Provided*, The earnings of the Penitentiary be insufficient to defray the current expenses and to pay the salaries of its officers and employes. There is hereby appropriated out of the Treasury, chargeable to the revenue fund, for repairs and improvements in the State Penitentiary, the sum of thirty-six thousand nine hundred and seventy-three dollars (\$36,973.00) to be applied as follows: For completing Centennial Hall, three thousand dollars (\$3,000.00); for extension of Straus' harness shop, three thousand nine hundred dollars (\$3,900.00); for erecting kitchen, dining-room and chapel, twelve thousand and seventy-three dollars (\$12,073.00); for additional boiler, heating and steam pipes, ten thousand dollars (\$10,000.00); for machinery for cooking and laundry purposes,

three thousand dollars (\$3,000.00); for extra guards and skilled labor on improvements, five thousand dollars (\$5,000.00); for the library fund of the Penitentiary, five hundred dollars (\$500.00); for the purchase of new organ for chapel service in the Penitentiary, one hundred dollars (\$100.00)."

Amendment No. 10. Amend section 11 by striking out all of the fourth subdivision of said section after the word "safe," in line 17, printed bill, and by inserting in lieu thereof the following: For the Auditor's department, two thousand three hundred dollars (\$2,300.00), not less than eight hundred dollars (\$800.00) of which may be expended in providing a fire-proof vault for said department, and three hundred dollars (\$300.00) in providing desks and other furniture for the Auditor's office.

Amendment No. 11. Amend section 12 by adding after the figures (\$5,000.00), in the 10th line, printed bill, the following: "For repairing Governor's Mansion, furnaces, plumbing and painting the same, the sum of two thousand dollars (\$2,000.00)—this last sum to be expended under the supervision of the Warden of the Penitentiary."

Amendment No. 12. Amend by adding at the close of the same the following: "Sixth—For refitting and furnishing the Senate Chamber, and refurnishing the Hall of Representatives, five thousand dollars (\$5,000.00), to be expended under the supervision of the Governor, State Auditor and State Treasurer."

Amendment No. 13. Amend section 16 by striking out, in the 9th line, printed bill, the words and figures, to wit: "One thousand dollars (\$1,000.00)," and by inserting in lieu thereof the following words and figures "twenty-five hundred dollars (\$2,500.00)."

Amendment No. 14. Amend section 21 by striking out the words "to be used in the purchase and distribution of the Missouri Hand-Book," in lines 5 and 6 of printed bill, and by inserting in lieu thereof the following: "Shall be used in the immediate purchase of not less than sixty thousand copies of the Hand-Book of Missouri, which shall be divided equally between, and distributed by the State Board of Immigration and the Missouri Immigration Society; and there is further appropriated the sum of five thousand dollars (\$5,000.00) for said State Board of Immigration to be used by the president of the board in the purchase of not less than thirty thousand copies of the German edition of said Hand-Book, and fifteen thousand copies of the French edition, and fifteen thousand copies of the Scandinavian edition of said Hand-Book, as prepared and published by the Missouri Immigration Society, to be equally divided between and distributed by said society and the State Board of Immigration."

Amendment No. 15. Amend bill by striking out section 26.

Amendment No. 16. Amend section 27 by striking out the words and figures "Section 27," and insert in lieu thereof "Section 26."

Amendment No. 17. Amend section 28 by striking out the words and figures "Section 28," and insert in lieu the words and figures "Section 27."

Which were read, and, on motion of Senator Heard, 75 copies were ordered printed for the use of the Senate.

On motion of Senator Cottey, the Senate adjourned.

FIFTY-EIGHTH DAY—WEDNESDAY, March 16.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Senator Edwards of Lafayette submitted the following report from the Committee on Claims, which was read :

MR. PRESIDENT: Your Committee on Claims, to whom was referred House bill No. 530, entitled "An act for the relief of John Finn, late sheriff of the city of St. Louis, and to allow him certain credits," beg leave to report that they have considered the same, and a majority of your committee recommend that it do pass.

Senator McMahan submitted the following report from the Committee on Agriculture, which were read :

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred House bill No. 140, entitled "An act to prevent the spread of contagious diseases among hogs and other cattle," beg leave to report that they have considered the same, and recommend that it do pass.

MR. PRESIDENT: Your Committee on Agriculture, to whom was

referred House bill No. 476, entitled "An act to protect the legitimate products of the dairy," beg leave to report that they have considered the same and recommend that it do pass.

Senator Lloyd submitted the following report from the Committee on Internal Improvements, which was read :

MR. PRESIDENT: Your Committee on Internal Improvements, to whom was referred Substitute for House bill No. 324, entitled "An act to require railroads to furnish double-decked cars for the shipment of sheep and to provide a penalty for failing so to do," beg leave to report that they have considered the same, and recommend that it do pass.

Senator Byrns submitted the following reports from the Committee on Criminal Jurisprudence, which were read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 362, entitled "An act to amend section four hundred and thirteen, Revised Statutes, relating to prosecuting and circuit attorneys," beg leave to report that they have considered the same, and recommend that it do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 252, entitled "An act to amend section two, chapter six of the Appendix to the revised Statutes of Missouri, of 'Laws specially applicable to the City of St. Louis,' concerning the police," beg leave to report that they have considered the same and recommend that it do pass.

Senate bill No. 252 was taken up and ordered engrossed.

On second reading of House bills, the following were read and referred :

House bill No. 363, entitled "An act entitled an act to amend section 5216, chapter 94, Revised Statutes, 'Of county boundaries,' " to Committee on County Boundaries :

House bill No. 391, entitled "An act to amend section 5745¹ of chapter 112, Revised Statutes, entitled 'Of immigration,' " to Committee on Immigration :

House bill No. 525, entitled "An act to amend section 1163, chapter 23, article 4 of the Revised Statutes of the State of Missouri, relating to 'Courts of record,' " was taken up, read second time and referred to Committee on Judiciary :

House bill No. 590, entitled "An act to provide for the payment of the fees in the St. Louis court of criminal correction," was taken up, read second time and referred to Committee on Criminal Jurisprudence :

Joint and concurrent resolution No. 25, entitled "Concurrent reso-

lution authorizing the Adjutant-General of the State of Missouri to withdraw certain original vouchers from the State Auditor's office, and file them in the treasury department of the United States, and to withdraw the certified copies on file there," was taken up, read second time and referred to Committee on Ways and Means :

House bill No. 486, entitled "An act to amend section one thousand nine hundred and four (1904), article eighteen (18), chapter twenty-four (24) of the Revised Statutes of the State of Missouri, entitled 'Of crimes and criminal procedure,' " was taken up, read second time and referred to Committee on Criminal Jurisprudence :

House bill No. 459, entitled "An act entitled an act to regulate the sale of medicines and poisons by druggists and pharmacists," was taken up, read second time and referred to the Committee on Criminal Jurisprudence :

House bill No. 428, entitled "An act for the relief of Sewall W. Smith and James R. Jones," was taken up, read second time and referred to Committee on Claims :

House bill No. 427, entitled "An act to provide for working and repairing public roads in counties having an assessed value of fifteen million dollars or more, and more than one hundred and fifty miles of macadamized and graveled roads," was taken up, read second time and referred to the Committee on Roads and Highways :

Substitute for Senate bill No. 282, entitled "An act to provide for the public printing and to elect a public printer," was taken up, read second time and referred to the Committee on Printing :

House bill No. 239, entitled "An act entitled an act making county treasurers *ex officio* county collectors in counties having adopted township organization, and defining his duties," was taken up, read second and referred to Committee on township organization :

House bill No. 132, entitled "An act to amend section 5632 of the Revised Statutes, relating to 'Fees,' " was taken up, read second time and referred to Committee on Criminal Jurisprudence :

House bill No. 78, entitled "An act to amend chapter 21, article 2, section 781 of the Revised Statutes of Missouri of 1879, entitled 'Railroad companies,' " was taken up, read second time and referred to the Committee on Internal Improvements :

House bill No. 208, entitled "An act to enable all fund companies and manufacturing and business companies now doing business in this State that have partially perfected their incorporation under sections 7, 8, 9, 10, 11, 12, 13, 14 and 15, chapter 68; also under sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15, chapter 69, Revised Statutes of the State of Missouri for 1865, to perfect such incorporation, and to secure

them to the benefits of all rights acquired prior to such incorporation," was taken up, read third time and laid over informally.

House bill No. 444, entitled "An act entitled 'An act to provide for the disposition of surplus fund accruing from the sale of real estate of non-residents,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bryant, Byrns, Bland, Caldwell, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—30.

NOES—Senators Cottey and Morrisson—2.

ABSENT ON LEAVE—Senators Bradley and Cabell—2.

The question recurring upon the emergency clause of said bill, it was passed by the following vote:

AYES—Senators Allen, Bryant, Byrns, Bland, Caldwell, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Naylor, Perkins, Rogers, Rouse, Stephens and Walker—28.

NOES—Senators Cottey, Heaston, Morrisson, and Pehle—4.

ABSENT ON LEAVE—Senators Bradley and Cabell—2.

The title of the bill was read and agreed to.

Senator Lloyd moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

House bill No. 362, entitled "An act to amend section five hundred and thirteen of the Revised Statutes of 1879, relating to prosecuting and circuit attorneys," was taken up read third time and passed by the following vote:

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rouse, Stephens and Walker—28.

NOES—Senators Cottey, DeArmond, Dobyns, Headlee and Rogers—5.

ABSENT ON LEAVE—Senator Bradley.

The title of the bill was read and agreed to.

Senator Caldwell moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Substitute for House bill No. 324, entitled "An act to require railroad companies to furnish double decked cars for the shipment of sheep, and a penalty for failing so to do," was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bryant, Byrns, Bland, Caldwell, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse, Stephens and Walker—27.

ABSENT ON LEAVE—Senators Bradley, Cabell, Cottey, DeArmond, Dobyns, McGrath and Perkins—7.

The title of the bill was read and agreed to.

Senator Caldwell moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table ; the latter motion prevailed.

House bill No. 476, entitled "A bill for an act to prevent the manufacture and sale of oleaginous substances, or compounds of the same, in imitation of the pure dairy products," was taken up and recommitted to the Committee on Agriculture.

House bill No. 140, entitled "An act to prevent the spread of contagious diseases among hogs and other cattle," was taken up, read third time and failed to pass by the following vote :

AYES—Senators Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Jacobs, McGrath, Mackay, Stephens and Walker—17.

NOES—Senators Allen, Dungan, Headlee, Heaston, Hutt, Lloyd, McMahan, Mabrey, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers and Rouse—16.

ABSENT ON LEAVE—Senator Bradley.

Substitute for House bill No. 530, entitled "An act for the relief of John Finn, late sheriff of the city of St. Louis, and to allow him certain credits," was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—32.

NO—Senator Headlee.

ABSENT ON LEAVE—Senator Bradley.

The emergency clause of said bill was then passed by the following vote:

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Stephens and Walker—32.

ABSENT ON LEAVE—Senators Bradley and Rouse—2.

The title of the bill was read and agreed to.

Senator Cabell moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Substitute for House bill No. 39, entitled "An act to amend section 6988 of chapter 148 of the Revised Statutes of Missouri, 'Of salaries,'" was taken up and laid over informally.

Senator Heard submitted the following reports from the Committee on Banks and Corporations, which were read:

MR. PRESIDENT: Your Committee on Banks and Corporations, to whom was referred House bill No. 515, entitled "An act to authorize towns, cities and villages to purchase, receive and hold real estate for the burial of the dead," beg leave to report that they have considered the same, and recommend that it do pass.

MR. PRESIDENT: Your Committee on Banks and Corporations, to whom was referred substitute for House bill No. 729, entitled "An act to amend an act entitled 'an act creating a board of police commissioners and authorizing the appointment of a permanent police force for the city of Kansas,' approved March 27, 1874, so as to enable the city council, on the recommendation of the board of police commissioners, to increase the number of men on the present force," beg leave to report that they have considered the same, and recommend that it do pass.

House bill No. 727 was taken up and laid over informally.

House bill No. 515, entitled "An act entitled an act to authorize towns, cities and villages to purchase, receive and hold real estate for the burial of the dead," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Byrns, Bland, Cabell, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, Mabrey,

Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—29.

ABSENT ON LEAVE—Senators Bradley, Bryant, Caldwell, Cottey and McMahan—5.

The emergency clause of said bill was passed by the following vote :

AYES—Senators Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Headlee, Heard, Heaston, Hutt, Jacoba, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Perkins, Rouse, Stephens and Walker—29.

NOES—Senators Allen, Gottschalk, Pehle and Rogers—4.

ABSENT ON LEAVE—Senator Bradley.

The title of the bill was read and agreed to.

Senator Heard moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Edwards of St. Charles submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 251, entitled "An act to amend section 5083, chapter 91, Revised Statutes, entitled 'Commissioner of permanent seat of government,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Heard called up Senate bill No. 28, with the following House amendments :

Amend section 6, line 7, by inserting between the words "services" and "under," in said line, the words, "rendered by officers or other persons."

Amend section 9 by striking out "(10,000)," and inserting in lieu thereof "(13,000)," and by adding to the section the words, "nor in cities having over 300,000."

Which were read first and second time, and concurred in by the following vote:

AYES—Senators Allen, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Rogers, Rouse, Stephens and Walker—28.

NOES—Senators Bradley, McMahan, Pehle and Perkins—4.

ABSENT ON LEAVE—Senators Bryant Edwards of St. Charles—2.

Senator Heaston offered the following amendment:

Amend House amendment by striking out "13,000," where it occurs, and insert in lieu thereof "20,000."

Which was read first and second times and not agreed to.

The second House amendment was then read first and second times and agreed to by the following vote:

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Dobyns, Dungan, Edwards of Lafayette, Headlee, Heard, Heaston, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Rogers, Rouse, Stephens and Walker—26.

NOES—Senators Bradley, Cottey, DeArmond, Edwards of St. Charles, Gottschalk, Hutt, Pehle and Perkins—8.

Senator Walker moved to reconsider the vote by which Senate bill No. 142 failed to pass on yesterday; agreed to; the bill then passed by the following vote:

AYES—Senators Allen, Bradley, Bland, Cabell, Caldwell, Edwards of Lafayette, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrison, Pehle, Perkins, Rogers and Walker—23.

NOES—Senators Byrns, Cottey, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Gottschalk and Stephens—8.

ABSENT ON LEAVE—Senators Bryant, Naylor and Rouse—3.

The title was read and agreed to.

On motion of Senator Lloyd, the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

Senate met pursuant to a recess taken.

President in the chair.

A quorum present.

Senate bill No. 253, entitled "An act to apportion representatives and to divide the State into senatorial districts;" was taken up, read second time, and referred to Committee on Senatorial and Representative apportionment.

Senate bill No. 251, entitled "An act to amend section 5083 of chapter 91 of the Revised Statutes, entitled 'Commissioner of permanent seat of Government,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Cabell, Cottey Dungan, Edwards of St. Charles, Headlee, Lloyd, McGrath, Manistre, Morrison, Naylor, Perkins, Rogers, Stephens and Walker—18.

NOES—Senators Bland, Caldwell, DeArmond, Dobyns, Edwards of Lafayette, Gottschalk, Heaston, Hutt, McMahan, Mabrey, Mackay, Manring, Pehle and Rouse—14.

ABSENT ON LEAVE—Senators Heard and Jacobs—2.

The title of the bill was read and agreed to.

Senator McGrath moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

The following message was received from the House of Representatives, through Mr. Purdom, one of the clerks of the House:

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed by the House, House bill No. 490, entitled "An act to repeal sections 7087, 7088 and 7089 of chapter 150, Revised Statutes, and to regulate the use and purchase of text-books by school districts."

Also, House bill No. 278, entitled "An act to amend section eight hundred and nine (809), article two (2), chapter twenty-one (21) of the Revised Statutes of Missouri, 'Of corporations:'"

Also, House bill No. 220, entitled "An act for the relief and benefit of John N. Payne:"

And has also taken up House bill No. 460, entitled "An act concerning macadamized roads, and concurred in the following Senate amendments thereto:

1. Amend section one by inserting after the word "empowered," where it occurs in the first line of printed bill, these words: "if in their judgment it is deemed to be of sufficient public utility."

2. Amend section one by inserting between the word "grade" and the word "and," the words "or to grade," in line two printed bill.

3. Amend section one by inserting in line two after the word "any," the word "public."

Senate amendment to title of House bill No. 460: An act to authorize counties to aid in grading or macadamizing public roads.

Also, substitute for House bill No. 9, entitled "An act to amend section five thousand six hundred and twenty (5620) Revised Statutes," and concurred in the following Senate amendment thereto:

Amend title of bill by inserting after the words and figures "five thousand six hundred and twenty (5620)" the word and figures "chapter 103."

Also, House bill No. 560, entitled "An act to authorize county

courts to have all prisoners confined in county jails to work on public roads, or to break rock for road purposes:”

Also, House bill No, 498, entitled “An act to prevent partners of prosecuting attorneys of this State from defending in criminal cases”—

In which the concurrence of the Senate is respectfully requested.

Senator Cottey called up substitute for House bill No. 186, entitled “An act to appropriate money for the support of the State government for the years 1881 and 1882,” with pending amendments.

On motion of Senator Edwards of St. Charles, Senate went into Committee of the Whole for the further consideration of said bill and amendments, Senator Edwards of St. Charles in the chair.

Committee arose, President called the Senate to order and Senator Edwards of St. Charles submitted the following report:

MR. PRESIDENT: Your Committee of the Whole, to whom was referred substitute for House bill No. 186, entitled “An act to appropriate money for the support of the State government for the years 1881 and 1882,” beg leave to report that they have considered the same, and recommend the adoption of the accompanying amendments; which was read.

The bill so reported being substitute for House bill No. 186, was taken up and the following amendment offered by the committee:

Amendment No. 1.—Amend section 3 by striking out the words “one-third,” in line 3, printed bill, and by inserting in lieu thereof the words “one-fourth,” was read first and second times and the ayes and noes being demanded was agreed to by the following vote:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, Dobyns, Edwards of Lafayette, Edwards of St. Charles, Heard, Heaston, Hutt, Lloyd, McGrath, McMahan, Mackay, Manistre, Manning, Morrison, Naylor, Perkins, Rogers, Rouse and Walker—25.

NOES—Senators Allen, DeArmond, Gottschalk, Mabrey, Pehle and Stephens—6.

ABSENT ON LEAVE—Senators Dungan, Headlee and Jacobs—3.

Amendment No. 2.—Amend section 5 by striking out the words and figures “three hundred and twenty-three dollars (\$323.00),” in lines 18 and 20, printed bill, and by inserting in lieu thereof the words and figures “two hundred and nine dollars and seventy-two cents (\$209.72).”

Was taken up, read first and second times and agreed to.

Amendment No. 3.—Amend section 5 by striking out all after the word “ninth,” in line 51, printed bill, down to and including the word “tenth,” in line 57 of said section.

Was read first and second times and agreed to.

Amendment No. 4.—Amend section 6 by striking out in lines 7, 8

and nine, printed bill, the following words and figures: *Provided*, that seven thousand five hundred dollars (\$7,500.00) of this amount be expended for engine and pipe for water supplies."

Was read first and second times and adopted.

Amendment No. 5.—Amend section 6 by striking out all between the figures (\$15,800.00)" in the 11th line, printed bill, and the words "and for the salaries," in line 22, and insert in lieu thereof the following: "For the support of Lunatic Asylum No. 2, at St. Joseph, twenty-five thousand dollars (\$25,000.00), out of which amount seven thousand five hundred dollars (7,500.00), or so much thereof as may be necessary, shall be used for the purchase of surgical instruments, for supplying water for the Asylum, for refurnishing the Asylum, for building an ice house, for cementing basement wall of the Asylum, for paving the floor of the basement, laying walks around the Asylum, building a coal house, improving the grounds, and plastering and completing the rooms of the upper story of the building."

Was read first and second times and adopted.

Amendment No. 6. Amend section 6 by striking out the words and figures "fifty-six thousand five hundred and sixty-four dollars (\$56,564.00)," in lines 31 and 32, printed bill, and insert in lieu thereof the following: "Seventy thousand dollars (\$70,000.00)."

Was read first and second times and adopted.

Amendment No. 7. Amend section 8 by striking out the following words and figures: "eighteen thousand dollars (\$18,000.00)," in line ten, printed bill, and insert in lieu thereof the following: "twenty-five thousand dollars (\$25,000.00)."

Was read first and second times and adopted by the following vote, the ayes and noes being demanded:

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Cottey, DeArmond; Dobyns, Edwards of St. Charles, Headlee, Heard, Heaston, Jacobs, McGrath, McMahan, Mackay, Morrisson, Naylor, Rogers, Stephens and Walker—21.

NOES—Senators Allen, Caldwell, Edwards of Lafayette, Gottschalk, Hutt, Lloyd, Manistre, Manring, Pehle, Perkins and Rouse—11.

ABSENT ON LEAVE—Senators Dungan and Mabrey—2.

Amendment No. 8. Amend section 9 in lines 4 and 5, printed bill, by striking out the words and figures "two hundred and seventy-five thousand dollars (\$275,000.00)," and by inserting in lieu thereof the words and figures "three hundred and forty thousand dollars (\$340,000.00)," and by adding thereto the following: "For the pay of pensioners for the years 1881 and 1882, (under acts of 1841, 1844 and 1845), the sum of two hundred dollars (\$200.00); and for the apprehension

of criminals and suppression of outlawry, the sum of fifteen thousand dollars (\$15,000.00)."

Was read first and second times and adopted.

Amendment No. 9. Amend by striking out all of section 10 and by inserting in lieu thereof the following, viz.:

Section 10. *For the penal department.*—There is hereby appropriated out of the Treasury for the purpose of defraying the current expenses of the Penitentiary and for paying the salaries of the Warden, Inspectors, Physician, Chaplain, Matron, guards and employes of said institution, chargeable to the earnings arising from the labor of convicts, the keeping of United States prisoners or from any source of income to said institution, the sum of two hundred and fifty thousand dollars (\$250,000.00); for salary and pay of the Warden, Inspectors, Physician, Chaplain, Matron, guards and other employes of the Penitentiary, eighty thousand dollars (\$80,000.00), chargeable to the revenue fund: *Provided*, The earnings of the Penitentiary be insufficient to defray its current expenses and to pay the salaries of its officers and employes. There is hereby appropriated out of the Treasury, chargeable to the revenue fund, for repairs and improvements in the State Penitentiary, the sum of thirty-six thousand nine hundred and seventy-three dollars (\$36,973.00), to be applied as follows: For completing Centennial Hall, three thousand dollars (\$3,000.00); for extension of Straus' harness shop, three thousand nine hundred dollars (\$3,900.00); for erecting kitchen, dining room and chapel, twelve thousand and seventy-three dollars (\$12,073.00); for additional boiler, heating and steam pipes, ten thousand dollars, (\$10,000.00); for machinery for cooking and laundry purposes, three thousand dollars (\$3,000.00); for extra guards and skilled labor on improvements, five thousand dollars (\$5,000.00); for the library fund of the Penitentiary, five hundred dollars (\$500.00); for the purchase of a new organ for chapel service in the Penitentiary, one hundred dollars (\$100.00).

Was read first and second times and adopted.

Amendment No. 10. Amend section 11 by striking out all of the fourth subdivision of said section after the word "safe," in line 17, printed bill, and by inserting in lieu thereof the following: "For the Auditor's department, two thousand three hundred dollars (\$2,300.00), not less than eight hundred dollars (\$800.00) of which may be expended in providing a fire proof vault for said department; and three hundred dollars (\$300.00) in providing desks and other furniture for the Auditor's office.

Was read first and second times and adopted.

Amendment No. 11. Amend section 12 by adding after the figures "(\$5,000.00)," in the tenth line, printed bill, the following: "For

repairing Governor's Mansion, furnaces, plumbing and painting the same, the sum of two thousand dollars (\$2,000.00), this last sum to be expended under the supervision of the Warden of the Penitentiary."

Was read first and second times and adopted.

Amendment No. 12. Amend section 12 by adding, at the close of the same, the following:

"*Sixth*—For refitting and furnishing the Senate Chamber, and re-furnishing the Hall of Representatives, five thousand dollars (\$5,000.00), to be expended under the supervision of the Governor, State Auditor and State Treasurer."

Was read first and second times and adopted.

Amendment No. 13. Amend section 16 by striking out of the 9th line, printed bill, the words and figures, to wit: "One thousand dollars (\$1,000.00)," and by inserting in lieu thereof the following words and figures: "Twenty-five hundred dollars (\$2,500.00)."

Was read first and second times and adopted.

Amendment No. 14. Amend section 21 by striking out the words "to be used in the purchase and distribution of the Missouri Hand-book," in lines 5 and 6 of printed bill, and by inserting in lieu thereof the following: "Shall be used in the immediate purchase of not less than sixty thousand copies of the 'Hand-book of Missouri,' which shall be divided equally between, and distributed by the State Board of Immigration and the Missouri Immigration Society; and there is further appropriated the sum of five thousand dollars (\$5,000.00) for said State Board of Immigration, to be used by the president of the board in the purchase of not less than thirty thousand copies of the German edition of said Hand-book, and fifteen thousand copies of the French edition, and fifteen thousand copies of the Scandinavian edition of said Hand-book, as prepared and published by the Missouri Immigration Society, to be equally divided between, and distributed by said society and the State Board of Immigration.

Was read first and second times and adopted.

Amendment No. 15. Amend bill by striking out section 26.

Was read first and second times and adopted.

Amendment No. 16. Amend section 27 by striking out the words and figures, "section 27."

Was read first and second times and agreed to.

Amendment No. 17. Amend section 28 by striking out the words and figures, "section 28," and insert in lieu thereof the words and figures, "section 27."

Senator Walker offered the following amendment:

Amend section 6, line 44, by striking out \$40,000.00 and inserting in lieu thereof \$49,634.00.

Which was read first and second times and, the ayes and noes being demanded, was adopted by the following vote:

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mackay, Manistre, Morrisson, Naylor, Rogers, Rouse, Stephens and Walker—28.

NOES—Senators Bradley, Heaston, Mabrey, Manring and Pehle—5.

ABSENT—Senator Perkins.

Senator Mackay offered the following amendment:

Amend section 6, printed bill, by inserting after the figures "40,000," in line 44, "and eighty thousand dollars (\$80,000) for improvements to be made according to plans and specifications to be submitted for approval to the Governor, Auditor and Attorney-General, as a supervisory board, to whom the books, which shall be exclusively kept for this improvement, together with the vouchers showing the expenditures of said appropriation, in detail, shall likewise be submitted for approval at the completion of the work, and also at any time when said supervisors may call for the same in the course of its progress, and with the approval of a majority of the aforesaid supervisory board, the work shall be entered upon, and the Auditor, subject to the same approval as the work progresses, shall draw his warrent on the treasury of the State of Missouri in favor of the Board of Curators of the University of the State of Missouri, in reasonable installments for the favorable prosecution of said plans of improvement, and when the work is completed the plans and specifications, the books, vouchers and all papers pertaining to the same shall be deposited with the Auditor;" which was read first and second times, and, on motion of Senator Rogers, the bill and pending amendment were made the special order for 10:30 o'clock to-morrow morning.

The following message was received from the House of Representative through Mr. Hannay, Assistant Chief Clerk:

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 426, entitled "An act to repeal section 7669 of chapter 168 of the Revised Statutes of Missouri, 1879, entitled 'of wharfage.'"

Also, House bill No. 623, entitled "An act providing for licensing and taxing express companies:"

Also, substitute for House bill No. 420, entitled "An act to amend sections 1126, 1135 and 1165 of the Revised Statutes, concerning circuit courts and attaching the county of Taney to the twenty-first judicial circuit:"

Also, House bill No. 450, entitled "An act to regulate the appointment of notaries public in all cities having a population of one hundred thousand inhabitants or more : "

Also, House bill No. 699, entitled "An act to amend section 1159 of article 4 of chapter 32 of the Revised Statutes of Missouri, relating to judicial circuits : "

Also, House bill No. 517, entitled "An act to amend section twenty-eight hundred and three (2803), article one (1), chapter forty-four (44), of the Revised Statutes of the State of Missouri, so as to entitle towns of one hundred inhabitants or more, which may contain medical springs or springs, the water of which may be used for its curative or supposed curative effects, or which may be within five hundred yards of any such spring, to one justice of the peace in addition to the number allowed by law to the township in which such town may be : "

Also, House bill No. 597, entitled "An act to amend sections 797 and 817 of chapter 21, article 2 of the Revised Statutes of the State of Missouri, relating to corporations ; " in which the concurrence of the Senate is respectfully requested.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 199, entitled "An act to amend section seventy-five (75), of the Revised Statutes of 1879, relating to administration ;" the bill was then read at length and signed by the President in the presence of the Senate in open session, no objection being made to the signing of said bill.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 451, entitled "An act conferring upon and defining the rights of companies formed for the purpose of supplying cities and towns with pure water ;" the bill was so read ; no objection being made, the President signed the bill in the presence of the Senate in open session.

The President then directed the Secretary to read at length House bill No. 47, entitled "An act requiring the owners of hedges along the highways to have them cut down to the height of five feet after said hedges are five years old ;" the bill was read at length, and no other business intervening, was signed by the President in the presence of the Senate in open session, no objection being made.

The President also directed the Secretary to read at length House bill No. 374, entitled "An act to encourage and increase the public school fund of the State by grant, gift or devise, as provided for in section six (6), article (11) of the Constitution of Missouri, and to provide for its safe and permanent investment ;" the bill was read at length, no other business intervening, and no objection being made, was signed by the President in the presence of the Senate in open session.

The President also directed the Secretary to read at length House bill No. 307, entitled "An act to amend section 1167, chapter 22, article 4 of the Revised Statutes of Missouri, 'Of courts of record;'" the bill was read at length, no other business intervening, and no objection being made, it was signed by the President in the presence of the Senate in open session.

The President directed the Secretary to read at length House bill No. 202, entitled "An act relating to Texas, Spanish and Indian cattle;" which was read at length, and no other business intervening, and no objection being made, was signed by the President in the presence of the Senate in open session.

The President directed the Secretary to read at length House bill No. 63, entitled "An act to amend section one thousand one hundred and fifty-one (1151), article 4, chapter twenty-three (23) of the Revised Statutes, 'circuit courts;'" which was read at length and no objection being made, and no other business intervening, was signed by the President in the presence of the Senate in open session.

The President directed the Secretary to read at length substitute for House bills Nos. 343, 416, 493, 505, 527 and 436, entitled "An act to amend section 7446, article 4; sections 7455, 7457, article 5; section 7470, article 7; section 7485, article 9; sections 7490 and 7491, article 11; section 7535 and section 7538, article 13, all in chapter 162 of the Revised Statutes of Missouri, relating to township organization;" which was read at length, no other business intervening, and no objection being made, was signed by the President in the presence of the Senate in open session.

On first reading of House bills, substitute for House bill No. 420, entitled "An act to amend sections 1127, 1135 and 1165 of the Revised Statutes, concerning circuit courts, and attaching the county of Taney to the Twenty-first Judicial circuit," was taken up and read the first time.

House bill No. 426, entitled "An act to repeal section 7669 of chapter 168 of the Revised Statutes of Missouri, 1879, entitled 'Of wharfrage,'" was taken up and read first time.

House bill No. 517, entitled "An act to amend section 2803, article 1, chapter 44 of the Revised Statutes of the State of Missouri, so as to entitle towns of one hundred inhabitants or more, which may contain medical spring or springs, the water of which may be used for its curative or supposed curative effects, or which may be within five hundred yards of any such spring, to one justice of the peace, in addition to the number allowed by law to the township in which such town may be," was taken up and read first time.

House bill No. 220, entitled "An act for the relief and benefit of John N. Payne," was taken up and read first time.

Substitute for House bill No. 278, "An act to amend section 809, article 2, chapter 21 of the Revised Statutes of Missouri, "Of corporations," was taken up and read first time.

House bill No. 450, entitled "An act to regulate the appointment of notaries public in all cities having a population of one hundred thousand inhabitants or more," was taken up and read first time.

House bill No. 490, entitled "An act to repeal sections 7087, 7088 and 7089 of chapter 150, Revised Statutes, and to regulate the use and purchase of text-books by school districts," was taken up and read first time.

House bill No. 498, entitled, "An act to prevent partners of prosecuting attorneys of this State from defending in criminal cases," was taken up and read first time.

House bill No. 560, entitled "An act to authorize county courts in the State of Missouri to cause persons convicted of crime and sentenced to county jails to work on roads or to break rocks for road purposes," was taken up and read first time.

House bill No. 597, entitled "An act to amend sections 797 and 817 of chapter 21, article 2 of the Revised Statutes of the State of Missouri, relating to corporations," was taken up and read first time.

House bill No. 623, entitled "An act providing for licensing and taxing express companies," was taken up and read first time.

House bill No. 699, entitled "An act to amend section 1159 of article 4 of chapter 23 of the Revised Statutes of Missouri, relating to judicial circuits," was taken up and read first time.

On motion of Senator Rogers, the Senate adjourned.

FIFTY-NINTH DAY—THURSDAY, March 17.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

Senator Heaston offered the following resolution, which was read the first and second times and adopted :

WHEREAS, The people of Ireland are engaged in a struggle against the land-owners and the Government that are unjustly oppressing and impoverishing them by high and exorbitant rents and unjust exactions, which have become such a burden upon that unhappy people that further submission thereto ceases to be a virtue; and,

WHEREAS, The people of the United States, enjoying the inestimable boon of self-government and constitutional liberty, always sympathize with the downtrodden and oppressed people of other climes; therefore,

Resolved, That this Senate does hereby extend to the wronged and struggling people of Ireland its warmest sympathies and good wishes for their speedy success in the struggle in which they are engaged, and will hail with gladness the happy day when the Irish people shall be free from oppression and enjoy all the blessings of free homes and a beneficent government.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 199, entitled "An act to regulate the practice of dentistry in this State, beg leave to report that they have considered the same, and recommend that the accompanying substitute do pass.

The bill so reported, being Senate bill No. 199, not being called for, the substitute reported by the committee was taken up, read first and second times, adopted and ordered engrossed.

Senator Dobyms submitted the following report from the Committee on Constitutional Amendments:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred substitute for House joint and concurrent resolution entitled "House joint and concurrent resolution No. 33, submitting an amendment to section 11, article 10 of the Constitution, relating to taxation," beg leave to report that they have considered the same, and recommend that it do not pass.

House joint and concurrent resolution No. 33, was taken up, and Senator Allen moved to recommit the bill to the Committee on Judiciary.

The ayes and nays being demanded, the motion was lost by the following vote:

AYES—Senators Allen, Bradley, Bryant, Caldwell, DeArmond, Gottschalk, Headlee, Heaston, Jacobs, Mabrey, Mackay, Manring, Pehle, Perkins and Rouse—15.

NOES—Senators Byrns, Bland, Cabell, Cottey, Dobyms, Dungan, Edwards of Lafayette, Edwards of St. Charles, Heard, Hutt, Lloyd, McMahan, Manistre, Morrisson, Naylor, Rogers, Stephens and Walker—18.

SICK—Senator McGrath.

On motion of Senator Lloyd, the bill was indefinitely postponed.

Senator Bradley submitted the following report from the Committee on Enrolled Bills, which were read:

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate concurrent resolution No. 16, submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof concerning the judicial department.

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate joint and concurrent resolution No. 9, authorizing and directing the Secretary of State to deliver to the librarian at the State University eight copies of the Revised Statutes of Missouri.

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 114, entitled "An act to amend section 3046, article 9, chapter 44 of the Revised Statutes of Missouri, 'Of justices courts.'"

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 155, entitled "An act to amend section 295, article 14, chapter 1 of the Revised Statutes of Missouri, relating to appeals in administration."

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 172, entitled "An act relating to the distribution of books published by authority of the State of Missouri.

Senator Edwards of St. Charles submitted the following reports from the Committee on Engrossed Bills, which were read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 182, entitled "An act to amend section 7628, article 1, chapter 164, Revised Statutes of Missouri, entitled 'Of the State Treasury,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 249, entitled "An act to amend section 1150, article 4, chapter 23 of the Revised Statutes of Missouri, entitled 'Of courts of record,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

The President announced that all other business would be suspended, and directed the Secretary to read at length Senate concurrent resolution No. 16, entitled "Concurrent resolution submitting to the qualified voters of the State of Missouri an amendment to the Constitution there, concerning the judicial department."

The President also announced all other business would be suspended and Senate bill No. 114, entitled "An act to amend section 3046, article 9, chapter 44 of the Revised Statutes of Missouri, entitled 'Of justices courts,'" would be read at length.

The bill was read at length by the Secretary, no objection being made, and the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto.

The president also announced that all other business would be suspended, and Senate bill No. 172, entitled "An act relating to the distribution of books published by authority of the State of Missouri," would be read at length and signed to the end that it may become a law unless objection be made.

The bill was so read, and no other business intervening, and no objection being made, Senate concurrent resolution No. 16 was read at length, and no objection being made, and no other business intervening, the president signed the same, in the presence of the Senate in open session, said resolutions were then taken by the secretary to the House

of Representatives, and after being signed by the Speaker were delivered to the Secretary of State.

The president announced that all other business would be suspended and directed the secretary to read at length Senate bill No. 155, entitled "An act to amend section 295, article 14, chapter 1 of the Revised Statutes of Missouri, relating to appeals in administration."

The bill was read at length, no other business intervening and no objection being made, it was signed by the president in the presence of the Senate in open session, no objection being made, it was signed by the president in the presence of the Senate in open session.

The president announced that all other business would be suspended, and Senate joint and concurrent resolution No. 9, entitled "Joint and concurrent resolution authorizing and directing the Secretary of State to deliver to the librarian of the State University eight copies of the Revised Statutes of Missouri," read at length.

The bill was so read and no other business intervening and no objection being made, was signed by the president in the presence of the Senate in open session.

All of said bills were immediately taken to the House of Representatives for the signature of the Speaker, and they were this day presented to the Governor, approval by the secretary.

The following message was received from the Governor and read:

SIR: I return to the Senate, with my approval endorsed thereon, a bill of the following title:

"An act to appropriate money for the payment of the city of New York, fiscal agent of the State, for the payment of bonds of the State and interest coupons as they fell due, from the year 1872 to December 31, 1880."

Very respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, President of the Senate.

The following messages were received from the House of Representatives through Mr. Purdom, one of the Clerks of the House:

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 442, entitled "An act to amend section 3198, article 3, chapter 47, concerning 'Hotels, inns and boarding house keepers:'"

Also, House bill No. 660, entitled "An act to amend section six thousand, one hundred and seventeen of article two of the Revised Statutes of Missouri of 1879, concerning 'School lands.'"

And that the House has also taken up and passed—

Senate bill No. 189, entitled "An act to amend section 7433, article 1, chapter 162 of the Revised Statutes of Missouri, entitled 'Township elections:'"

Also, House bill No. 125, entitled "An act concerning and regulating the time for holding elections for judges of probate courts:"

Also, House bill No. 595, entitled "An act apportioning the State of Missouri into Representative and Senatorial districts:"

Also, House bill No. 729, entitled "An act to amend an act entitled 'An act creating a board of police commissioners and authorizing the appointment of a permanent police force for the city of Kansas,' approved March 27, 1874, so that the salary of the chief of police may be increased to a sum not exceeding two thousand dollars per annum:"

And has also taken up, amended and passed Senate bill No. 190, entitled "An act to amend article eight of chapter one hundred and sixty-two of the Revised Statutes of Missouri, entitled 'Of township organization,' by adding a new section thereto, in reference to procuring record books and stationery:"

In all of which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 474, entitled "An act to provide and regulate the registration of voters in cities of twenty-five thousand and less than one hundred thousand inhabitants:"

Also, House bill 340, entitled "An act to authorize the board of commissioners of the Missouri institution for the education of the deaf and dumb, to sell land:"

Also, House bill No. 677, entitled "An act to amend section 6948 and 6953, chapter 147 of the Revised Statutes of the State of Missouri, entitled roads and highways:"

And also that the House has taken up and passed Senate bill No. 116, entitled "An act entitled an act to authorize counties having a past due indebtedness for the building of court houses and jails to refund the same at a lower rate of interest:"

In which the concurrence of the Senate is respectfully requested.

The president announced that all other business would be suspended, and directed the secretary to read at length House bills Nos. 581, entitled "An act to amend section 5250, chapter 94, Revised Statutes of 1879, entitled 'Of county boundaries;'" House bill No. 341, entitled "An act fixing the number of directors of public school boards and prescribing the qualifications of electors therefor;" and House bill No. 689, entitled "An act to regulate the expense and supervision of

reclaiming contiguous bodies of swamp and overflowed lands situate in two or more counties in this State," and that unless objections be made he would sign the same to the end that each may become a law.

The bills were read in the order named at length by the secretary, no objections being made; the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, in the order in which they were read, no other business intervening between the reading and signing of each bill.

On motion of Senator Gottschalk the Senate adjourned till 2 o'clock P. M.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 525, entitled "An act to amend section eleven hundred and sixty-three, chapter twenty-three, article four of the Revised Statutes of the State of Missouri, relating to 'Courts of record,'" beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment.

The bill to be reported being House bill No. 525, entitled "An act to amend section 1163, chapter 23, article 4, Revised Statutes, relating to 'Courts of record,'" was taken up, and the following amendment, reported by the committee, read first and second times and adopted:

Amend the bill by striking out all after the enacting clause, and inserting the following in lieu thereof: **SEC. 1.** Section eleven hundred and sixty-three, chapter twenty-three of the Revised Statutes of Missouri is hereby amended by striking out the words: "in the county of Lincoln, on the first Monday after the fourth Monday in March, and on the second Monday in October," in third and fourth lines of said section, and by striking out the words "January and June," in the sixth line of the section, and inserting in lieu thereof the words "May and November," so that said section as amended, shall read as follows: **Section 1163.** In the nineteenth judicial circuit: in the county of St. Charles, on the first Mondays in March and September, in the county of Warren, on the third Monday in April, and on the fourth Monday

in October; in the county of St. Louis on the second Mondays in May and November.

The bill, as amended, was then read third time and passed by the following vote :

AYES—Senators Allen, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McMahan, Mabrey, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—30.

ABSENT—Senators Bradley, Bryant, McGrath and Mackay—4.

The title of the bill was read and agreed to.

Senator Edwards of St. Charles moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 234, entitled "An act to appropriate money for the purpose of enlarging the main edifice of the University of the State of Missouri, at Columbia," beg leave to report that they have considered the same, and recommend that it do not pass.

The bill so reported, being Senate bill No. 234, was taken up and laid over informally.

Senate bill No. 243 was called up, and the following amendment reported by the committee, was read first and second times and adopted :

Amend by striking out all after the enacting clause and insert the following:

Section 1. Add to chapter 129 of the Revised Statutes, of merchant's licenses, a new section, to be numbered section 6341a, as follows :

Section 6341a. The collector of the revenue in cities having more than three hundred thousand inhabitants, shall assess and collect upon all statements of merchants and manufacturers received by him, under any law or ordinance of any such city, the same rate for school tax which is assessed on real estate for school purposes during the current year in which such licenses are issued. •

Senate bill No. 182, entitled "An act to amend section 7628, article 1, chapter 164, Revised Statutes, entitled 'Of the State treasury,'" was taken up, read a third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell,

Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McMahan, Mabrey, Mackey, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—32.

ABSENT—Senators Edwards of St. Charles and McGrath—2.

The title of the bill was read and agreed to.

Senator Morrisson moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 249, entitled "An act to amend section eleven hundred and fifty, article four, chapter twenty-three of the Revised Statutes, entitled 'Of courts of record,'" was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McMahan, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—31.

ABSENT—Senators Edwards of St. Charles, McGrath and Mabrey—3.

The title of the bill was read and agreed to.

Senator Edwards of Lafayette moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Mackay called up Senate bill No. 182, entitled "An act to provide for the care and keeping of the State arms, accoutrements and military property, and to appropriate money therefor," which was read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Cabell, Edwards of St. Charles, Gottschalk, Headlee, Heard, Jacobs, McMahan, Mackay, Naylor, Perkins, Rogers, Stephens and Walker—17.

NOES—Senators Bland, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Heaston, Hutt, Lloyd, Mabrey, Manistre, Manring, Morrisson, Pehle and Rouse—16.

ABSENT ON LEAVE—Senator McGrath.

Senator Heaston moved to reconsider the vote by which the bill failed to pass.

Senator Pehle moved to lay the motion to reconsider on the table.

The ayes and nays being demanded, the motion to table was lost by the following vote :

AYES—Senators Bradley, Bryant, Byrns, Cabell, Edwards of St. Charles, Gottschalk, Headlee, Heard, Jacobs, Lloyd, McMahan, Mackay, Naylor, Perkins, Rogers, Stephens and Walker—17.

NOES—Senators Allen, Bland, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Heaston, Hutt, Mabrey, Manistre, Manring, Morrisson, Pehle and Rouse—16.

ABSENT—Senator McGrath.

The Senate then refused to reconsider.

The following message was received from the House of Representatives through Mr. Purdom, one of the clerks:

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, substitute for House bill No. 554, entitled "An act to amend chapter 103 of the Revised Statutes of Missouri, entitled 'Fees,' by adding a new section thereto:"

Also, House bill No. 566, entitled "An act in relation to the taxation of business avocations by municipal corporations:"

Also, House bill No. 635, entitled "An act to amend section 5245, chapter 94 of the Revised Statutes, entitled 'County boundaries,' and to correct an error in the description of the boundaries of Maries county:"

In which the concurrence of the Senate is respectfully requested.

Senator Morrisson called up Senate bill No. 67, "An act to revise and amend chapter 150 of the Revised Statutes of Missouri, 'Of schools.'"

Senator Heard moved to reconsider the vote by which the bill failed to pass; which was agreed to.

The bill then passed by the following vote:

AYES—Senators Allen, Bryant, Bland, Cabell, Caldwell, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heaston, Jacobs, Lloyd, Mackay, Manistre, Manring, Morrisson, Pehle and Rogers—18.

NOES—Senators Bradley, Byrns, Cottey, DeArmond, Dobyns, Edwards of St. Charles, Heard, Hutt, McMahan, Mabrey, Perkins, Rouse, Stephens and Walker—14.

ABSENT—Senators McGrath and Naylor—2.

The title of the bill was read and agreed to.

On first reading of House bills,

House bill No. 340, entitled "An act to authorize the board of commissioners of the Missouri institution for the education of the deaf and dumb, to sell land," was taken up and read first time.

House bill No. 442, entitled "An act to amend section 3198, article 3, chapter 47, concerning 'Hotels, inns and boarding house keepers,'" was taken up and read first time.

House bill No. 474, entitled "An act to provide and regulate the registration of voters in cities of twenty-five thousand and less than one hundred thousand inhabitants," was taken up and read first time.

House bill No. 554, entitled "An act to amend chapter 103 of Revised Statutes of Missouri, entitled 'Fees,' by adding a new section thereto," was taken up and read first time."

House bill No. 595, entitled "An act entitled an act apportioning the State into representative and senatorial districts," was taken up and read first time.

House bill No. 566, entitled "An act in relation to the taxation of business avocations by municipal corporations," was taken up and read first time.

House bill No. 635, entitled "An act to amend section 5245, chapter 94 of the Revised Statutes, entitled 'county boundaries,' and to correct an error in the description of the boundaries of Maries county," was taken up and read first time.

House bill No. 660, entitled "An act to amend section 6117 of article 2 of the Revised Statutes of Missouri of 1879, concerning 'School lands,'" was taken up and read first time.

House bill No. 677, entitled "An act to amend sections 6948 and 6953, chapter 147 of the Revised Statutes of the State of Missouri, entitled 'Roads and highways,'" was taken up and read first time.

House bill No. 725, entitled "An act concerning and regulating the time for holding elections for judges of probate courts," was taken up and read first time.

House bill No. 729, entitled "An act to amend an act entitled 'An act creating a board of police commissioners, and authorizing the appointment of a permanent police force for the city of Kansas,' approved March 27, 1874, so that the salary of the chief of police may be increased to a sum not exceeding two thousand dollars per annum," was taken up and read first time.

On second reading of House bills,

House bill No. 220, entitled "An act for the relief and benefit of John N. Payne," was taken up, read second time and referred to the Committee on Claims.

Substitute for House bill No. 278, entitled "An act to amend section eight hundred and nine (809), article two (2), chapter twenty-one

(21) of the Revised Statutes of Missouri, 'Of corporations,' was taken up, read second time and referred to Committee on Internal Improvements.

Substitute for House bill No. 420, entitled "An act to amend sections 1127, 1135 and 1165 of the Revised Statutes, concerning circuit courts, and attaching the county of Taney to the twenty-first judicial circuit," was taken up, read second time and referred to the Committee on Judiciary.

House bill No. 426, entitled "An act to repeal section 7669 of chapter 168 of the Revised Statutes of Missouri, entitled 'Of wharfage,'" was taken up, read second time and referred to the Committee on Banks and Corporations.

House bill No. 450, entitled "An act to regulate the appointment of notaries public in all cities having a population of one hundred thousand inhabitants or more," was taken up, read second time and referred to the Committee on Judiciary.

House bill No. 490, entitled "An act to repeal sections 7087, 7088 and 7089 of chapter 150, Revised Statutes, and to regulate the use and purchase of text-books by school districts," was taken up, read second time and referred to Committee on Education.

House bill No. 498, entitled "An act to prevent partners of prosecuting attorneys of this State from defending in criminal cases," was taken up, read second time and referred to Committee on Criminal Jurisprudence.

House bill No. 517, entitled "An act to amend section twenty-eight hundred and three (2803), article one (1), chapter forty-four (44) of the Revised Statutes of the State of Missouri, so as to entitle towns of one hundred inhabitants or more, which may contain medical spring or springs, the water of which may be used for its curative or supposed curative effects, or which may be within five hundred yards of any such spring, to one justice of the peace, in addition to the number allowed by law to the township in which such town may be," was taken up, read second time and referred to Committee on Criminal Jurisprudence.

House bill No. 560, entitled "An act to authorize county courts in the State of Missouri to cause persons convicted of crime and sentenced to county jails, to work on roads or to break rocks for road purposes," was taken up, read second time and referred to Committee on Criminal Jurisprudence.

House bill No. 597, entitled "An act to amend sections 797 and 817 of chapter 21, article 2 of the Revised Statutes of the State of Mis-

Missouri, relating to corporations," was taken up, read second time and referred to Committee on Internal Improvements.

House bill No. 623, entitled "An act providing for licensing and taxing express companies," was taken up, read second time and referred to the Committee on Ways and Means.

House bill No. 699, entitled "An act to amend section 1159 of article 4 of chapter 23 of the Revised Statutes of Missouri, relating to judicial circuits," was taken up, read second time and referred to Committee on Judiciary.

Senator Morrisson submitted the following report from the Committee on Education, which was read :

MR. PRESIDENT : Your Committee on Education, to whom was referred House bill No. 295, entitled "An act to amend sections 7031, 7032 and 7033 of the Revised Statutes of Missouri, 'Of schools,'" beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported, being House bill No. 295, entitled "An act to amend sections seven thousand and thirty-one, seven thousand and thirty-two and seven thousand and thirty-three (7031, 7032 and 7033) of chapter one hundred and fifty (150), article one (1) of the Revised Statutes of Missouri, 'Of schools,'" was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bryant, Bland, Cabell, Caldwell, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, McMahan, Mackay, Manistre, Morrisson, Perkins, Rogers, Stephens and Walker—18.

NOES—Senators Cottey, DeArmond, Dobyns, Heaston, Hutt and Manring—6.

ABSENT—Senators Bradley, Byrns, Dungan, Jacobs, Lloyd, McGrath, Mabrey, Naylor, Pehle and Rouse—10.

The question recurring on the emergency clause of said bill, the same was passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Bland, Cabell, Caldwell, Cottey, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Perkins, Rogers, Stephens and Walker—26.

NOES—Senators DeArmond, Dobyns, Pehle and Rouse—4.

ABSENT—Senators Byrns, Dungan, Jacobs and McGrath—4.

The title of the bill was read and agreed to.

Senator Morrisson moved to reconsider the vote by which the bill

passed, and to lay the motion to reconsider on the table; which latter motion prevailed.

Senator Bryant called up House bill No. 727, entitled "An act to amend an act entitled 'An act creating a board of police commissioners, and authorizing the appointment of a permanent police force for the city of Kansas,' approved March 27, 1874, so as to enable the city council, on the recommendation of the board of police commissioners, to increase the number of men on the present police force," was taken up, read third time and passed by the following vote :

AYES—Senators Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Manistre, Manring, Morrisson, Naylor, Perkins, Rogers, Rouse, Stephens and Walker—28.

NOES—Senators Allen and Pehle—2.

ABSENT—Senators Dungan, Jacobs, McGrath and Mackay—4.

The title of the bill was read and agreed to.

Senator Bryant moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Edwards of St. Charles submitted the following reports from the Committee on Engrossed Bills, which were read :

MR. PRESIDENT : Your Committee on Engrossed Bills, to whom was referred Senate bill No. 193, entitled "An act for the better regulation of dramshops," beg leave to report that they have compared the same, and find it truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT : Your Committee on Engrossed Bills, to whom was referred Senate joint and concurrent resolution No. 1, entitled "Joint and concurrent resolution memorializing Congress to appropriate money to improve the Missouri river at Jefferson City, Missouri," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

The bill so reported, being Senate joint and concurrent resolution No. 1, entitled "Joint and concurrent resolution memorializing Congress to appropriate money to improve the Missouri river at Jefferson City, Mo.," was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd,

McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—31.

ABSENT—Senators Dungan, Jacobs and McGrath—3.

The title of the bill was read and agreed to.

Senator Heaston moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 193 was taken up and laid over informally.

On motion of Senator Bradley, the Senate adjourned until to-morrow morning at 10 o'clock.

SIXTIETH DAY—FRIDAY, March 18.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

The following message was received from the House of Representatives through Mr. Purdom, one of the clerks of the House :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House,

House bill No. 153, entitled "An act in relation to the removal of school house sites :"

Also, House bill No. 173, entitled "An act to provide for the payment of wages of labor in the lawful money of the United States :"

Also, substitute for House bill No. 242 entitled "An act to amend section 1566 of article 8 of the Revised Statutes, relating to offenses against public morals and decency, or the public police and miscellaneous offenses :"

Also, House bill No. 598, entitled "An act to amend section 930, article 8, chapter 21 of the Revised Statutes of the State of Missouri, 1879, entitled 'Manufacturing and business corporations:'"

And that the House has also taken up and passed substitute for Senate bills Nos. 80, 86 and 88, entitled "An act to secure the adjustment and settlement of claims of the State of Missouri against the United States for enrolling, equipping and subsisting the militia forces thereof in suppressing the rebellion, and also claims of this State for five per cent. of Government lands disposed of by the United States which have not heretofore been adjusted:"

And that the House has passed a concurrent resolution, herewith submitted, fixing the day of adjournment of the Thirty-first General Assembly:

In which the concurrence of the Senate is respectfully requested.

Senator Headlee submitted the following report from the Committee on Mining and Manufactures, which was read and adopted:

MR. PRESIDENT: Your Committee on Mining and Manufactures, who were authorized and instructed by a resolution of the Senate to visit and examine the mining and manufacturing localities of the State, beg leave to report that they have performed the duty assigned them, and submit the accompanying report, with the recommendation that five thousand (5,000) copies thereof be ordered printed, one thousand (1,000) for the appendix and four thousand (4,000) for the use of the Senate.

Senator Manring submitted the following report from the Committee on Township Organization, which was read:

MR. PRESIDENT: Your Committee on Township Organization, to whom was referred House bill No. 239, entitled "An act making county treasurers *ex officio* collectors in counties having adopted township organization, and defining his duties," beg leave to report that they have considered the same and recommend that it do pass.

Senator Cottey called up substitute for House bill No. 186, and the Chair decided that the point of order made by Senator Cottey on Wednesday was well taken and that the amendment offered by Senator Mackay, which was pending, was out of order.

On motion of Senator Cottey, the Senate resolved itself into Committee of the Whole for the consideration of substitute for House bill No. 186.

Senator Hutt in the chair.

The committee rose and the President called the Senate to order.

Senator Hutt submitted the following report from the Committee of the Whole, which was read :

MR. PRESIDENT: Your Committee of the Whole, to whom was referred substitute for House bill No. 186, entitled "An act to appropriate money for the support of the State government for the years 1881 and 1882," beg leave to report that they have considered the same, and recommend that it do pass with the amendments heretofore adopted.

Substitute for House bill No. 186 was taken up, and Senator DeArmond offered the following amendment :

Amend section 6 by striking out the following in the twenty-fourth, twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth and thirtieth lines, printed bill, to wit : "for the support of the indigent insane in the insane asylum of the city of St. Louis, and belonging to the State outside of the city of St. Louis, thirty thousand (\$30,000), which sum shall be paid upon the requisition of the treasurer, indorsed by the mayor of the city of St. Louis, in semi-annual installments of seven thousand five hundred dollars (7,500) each;" which was read first and second times, and the ayes and noes being demanded, was lost by the following vote :

AYES—Senators Bradley, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Heaston, Hutt, Lloyd, Mabrey, Manring and Rouse—11.

NOES—Senators Allen, Bryant, Byrns, Bland, Cabell, Cottey, Edwards of St. Charles, Gottschalk, Headlee, Heard, Jacobs, McMahan, Mackay, Manistre, Morrisson, Naylor, Pehle, Perkins, Rogers, Stephens and Walker—21.

ABSENT—Senators Caldwell and McGrath—2.

The bill was then read the third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Cottey, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Jacobs, McMahan, Mackay, Manistre, Morrisson, Naylor, Pehle, Perkins, Rogers, Stephens and Walker—24.

NOES—Senators DeArmond, Dobyns, Dungan, Hutt, Lloyd, Mabrey, Manring and Rouse—8.

ABSENT—Senators Caldwell and McGrath—2.

The title of the bill was read and agreed to.

Senator Cottey moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table ; the latter motion prevailed.

The following message was received from the Governor, through his Private Secretary, Mr. F. C. Farr :

EXECUTIVE OFFICE, CITY OF JEFFERSON, }
March 18, 1881.

SIR: I return to the Senate, with my approval endorsed thereon bills of the following titles :

"An act to amend section three thousand and forty-six, article nine, chapter forty-four, of the Revised Statutes of Missouri, entitled 'Of justices courts:'"

"An act relating to the distribution of books published by authority of the State of Missouri :"

"An act to amend section 295, article 14, chapter 1, of the Revised Statutes of Missouri, relating to appeals in administration :"

"An act to amend sections 841 and 846, of article 3, chapter 21, of the Revised Statutes of Missouri, of 1879, entitled " Railroad classification—charges—commissioners :"

And a joint and concurrent resolution of the following title :

"Joint and concurrent resolution authorizing and directing the Secretary of State to deliver to the librarian of the State University eight copies of the Revised Statutes of Missouri."

Very respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, President of the Senate.

The following message was received from the House of Representatives through Mr. Hanney, assistant chief clerk :

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed Senate bill No. 157, entitled "An act to authorize the appointment of stenographic reporters in courts exercising criminal jurisdiction in cases of felony in cities having a population of more than 100,000 inhabitants:"

And there has been introduced into and passed the House, House bill No. 636, entitled "An act to amend section 4932, chapter 89, article 5, of the Revised Statutes of the State of Missouri, relating to cities, towns and villages:"

In which the concurrence of the Senate is respectfully requested.

On motion of Senator Bradley, the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Senator Bradley submitted the following reports from the Committee on Enrolled Bills, which were read :

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 116, entitled "An act to authorize counties having a past indebtedness for the building of court houses and jails, to refund the same at a lower rate of interest."

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 18, entitled "An act for the relief of Louis C. Lohman, and to appropriate money therefor."

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 100, entitled "An act to amend section 4200, chapter 80, Revised Statutes, 'Of billiard and other tables.'"

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 168, entitled "An act to amend section 7469, article 7, chapter 162, Revised Statutes, entitled 'Of township trustees and their duties.'"

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 28, entitled "An act to discourage the keeping of useless and sheep killing dogs, and to provide indemnity for damages done by same."

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 91, entitled "An act to amend sections 7169 and 7171, chapter 150, article 3 of the Revised Statutes of Missouri of 1879, entitled 'Normal Schools.'"

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 189, entitled "An act to amend section 7433, article 1, chapter 162 of the Revised Statutes of Missouri, 1879, entitled 'Township elections.'"

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 83, entitled "An act to appropriate money to pay Mrs. Kate C. Mitchell of Jefferson county for certain outstanding Union Military Bonds, and to provide for the cancellation of the same."

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 132, entitled "An act to amend Section 3729 of article 11 of chapter 59 of the Revised Statutes of Missouri, entitled 'Of changes of venue.'"

The President announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No.

132, entitled "An act to amend section 3729 of article 11 of chapter 59 of the Revised Statutes of Missouri, entitled 'Of changes of venue ;'" the bill was read at length, and no objection being made, the presiding officer affixed his signature to said bill in the presence of the Senate in open session, and before any other business was entertained.

The President directed Senate bill No. 18, entitled "An act for the relief of L. C. Lohman and to appropriate money therefor," to be read at length; the bill was so read, and no objection being made, was signed by the presiding officer in the presence of the Senate in open session, no other business being entertained.

The President announced that all other business would be suspended, and directed Senate bill No. 116, entitled "An act to authorize counties having a past due indebtedness for the building of court-houses and jails, to refund the same and at a lower rate of interest," to be read at length; the bill was so read, and no objection being made, was signed by the presiding officer in the presence of the Senate in open session, no other business being entertained.

The President announced that all other business would be suspended, and directed Senate bill No. 85, entitled "An act to appropriate money to pay Mrs. Kate C. Mitchell, of Jefferson county, for certain outstanding Union Military Bonds, and to provide for the cancellation of the same," to be read at length; the bill was so read, and no objection being made, was signed by the presiding officer in the presence of the Senate in open session, no other business being entertained.

The President announced that all other business would be suspended, and directed Senate bill No. 189, entitled "An act to amend section 7493, article 1, chapter 162 of the Revised Statutes of Missouri, 1879, entitled 'Township elections,' to be read at length; the bill was so read, and no objection being made, was signed by the presiding officer in the presence of the Senate in open session, no other business being entertained.

The President announced that all other business would be suspended, and directed Senate bill No. 91, entitled "An act to amend sections 7169 and 7171, chapter 150, article 3, of the Revised Statutes of Missouri of 1879, entitled 'Normal schools,' to be read at length; the bill was so read, and no objections being made, was signed by the presiding officer in the presence of the Senate in open session, no other business being entertained.

The President announced that all other business would be suspended, and directed Senate bill No. 28, entitled "An act to discourage the keeping of useless and sheep killing dogs, and to provide indemnity

for damages done by same," to be read at length ; the bill was so read and no objection being made, was signed by the presiding officer in the presence of the Senate in open session, no other business being entertained.

The President announced that all other business would be suspended, and directed Senate bill No. 168, entitled "An act to amend section 7469, article 7 of chapter 162 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of township trustees and their duties,'" to be read at length ; the bill was so read, and no objection being made, was signed by the presiding officer in the presence of the Senate in open session, no other business being entertained.

The president then announced that all other business would be suspended, and directed Senate bill No. 100, entitled "An act to amend section 4200 of chapter 80 of the Revised Statutes of Missouri of 1879, of billiard and other tables," to be read at length ; the bill was so read, and no objection being made, was signed by the presiding officer in the presence of the Senate in open session, no other business being entertained ; said bills were immediately sent to the House of Representatives for the signature of the Speaker ; said bills were then presented to the Governor, for his approval, by the Secretary.

The following message was received from the House of Representatives through Mr. Purdom, one of the clerks :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 142, entitled "An act to amend section 819, article 2 of chapter 21 of the Revised Statutes of Missouri, in relation to railroad companies, transfer switches :"

Also, House bill No. 318, entitled "An act to amend section 1574, article 8, chapter 24 of the Revised Statutes, 'Of putting dead animals in wells, etc.:'"

Also, Substitute for substitute for House bills Nos. 346 and 380, entitled "An act to amend section one thousand one hundred and fifty-seven (1157), chapter twenty-three (23), article four (4) of the Revised Statutes of the State of Missouri, 'In relation to courts of record :'"

Also, House bill No. 730, entitled "An act to amend section 5529, chapter 101 of the Revised Statutes of Missouri, entitled 'Of elections :'"

In which the concurrence of the Senate is respectfully requested.

The President announced that all other business be suspended, and directed the Secretary to read at length House bill No. 421, entitled "An act to make trustees' and mortgagees' deeds evidence."

The bill was read at length, and no objections being made, it was signed by the presiding officer in the presence of the Senate in open session, no other business being entertained.

The President then directed the Secretary to read at length House bill No. 586, entitled "An act to subject the taking of changes of venue in criminal causes from one court to another in the same county to the provisions of the General Statutes of Missouri in reference to the taking of changes of venue in criminal causes."

The bill was read at length, and no objection being made, was signed by the presiding officer in the presence of the Senate in open session, no other business intervening.

The President also directed the Secretary to read at length substitute for House bill No. 412, entitled "An act to amend section 1145 of article 4, chapter 23 of the General Statutes of 1879, entitled 'Of courts of record.'"

The bill so read, and no objection being made, was signed by the presiding officer, in the presence of the Senate, in open session, no other business intervening.

The President directed the Secretary to read at length substitute for House bill No. 324, entitled "An act to require railroad companies to furnish double-decked cars for the shipment of sheep, and a penalty for failing so to do."

The bill was so read, and no objection being made, it was then signed by the presiding officer in the presence of the Senate in open session, no other business intervening.

The President also directed the Secretary to read at length House bill No. 399, entitled "An act to amend sections 1117, 1133, 1147 and 1163 of article 3, chapter 23 of the Revised Statutes of the State of Missouri, in reference to judicial circuits."

The bill was so read, and no objection being made, it was signed by the presiding officer in the presence of the Senate in open session, no other business intervening.

The President also directed the Secretary to read at length House bill No. 399, entitled "An act to amend section ten (10), also called section 32 of an act entitled 'An act to amend sections 1, 4, 12 and 13 of an act entitled 'An act to establish the twenty-fourth judicial circuit, and to provide for the election of a judge and circuit attorney therefor, approved February 4, 1871, and adding thereto the following new sections : 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36,' approved March 24, 1879.

The bill was so read, and no objection being made, it was signed

by the presiding officer in the presence of the Senate in open session, no other business intervening.

The President directed the Secretary to read at length House bill No. 229, entitled "An act to amend section 7453, chapter 162, article 4 of the Revised Statutes of the State of Missouri, relating to township election precincts, judges of elections and clerks of elections."

The bill was so read, and no objection being made, was signed by the presiding officer in the presence of the Senate in open session, no other business intervening.

Said bills all having been signed by the presiding officer, to the end that each may become a law, and attested by the Secretary, they were then returned to the House of Representatives.

Senator Edwards of St. Charles submitted the following reports from the Committee on Engrossed Bills, which were read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 252, entitled "An act to amend section 2, chapter 6 of the appendix to the Revised Statutes of Missouri, 'Of laws specially applicable to the city of St. Louis,' entitled 'Concerning the police,'" beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 199, entitled "An act to regulate the practice of dentistry in the State of Missouri," beg leave to report that they have compared the same, and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Headlee submitted the following report from the Committee on Mining and Manufactures, which was read :

MR. PRESIDENT: Your Committee on Mining and Manufactures, to whom was referred House bill No. 228, entitled "An act providing for the health and safety of persons employed in coal mines, and providing for the inspection of same," beg leave to report that they have considered the same, and recommend that it do pass.

Senator Edwards of Lafayette, submitted the following report from the Committee on Claims, which was read :

MR. PRESIDENT: Your Committee on Claims, to whom was referred House bill No. 428, entitled "A bill for the relief of Sewall W. Smith and James R. Jones," beg leave to report that they have considered the same, and recommend that it do pass.

On first reading of House bills,

Substitute for House bill No. 142, entitled "An act to amend section 819, article 2 of chapter 21 of the Revised Statutes of Missouri, in relation to railroad companies, transfer switches," was taken up and read first time.

House bill No. 318, entitled "An act to amend section 1574, article 8, chapter 24 of the Revised Statutes, 'Of putting dead animals in wells,'" etc., was taken up and read first time.

Substitute for House bills Nos. 346 and 380, entitled "An act to amend section one thousand one hundred and fifty-seven (1157), chapter twenty-three (23), article four (4) of the Revised Statutes of the State of Missouri, 'In relation to courts of record,'" was taken up and read first time.

House bill No. 636, entitled "An act to amend section 4932, chapter 89, article 5 of the Revised Statutes of the State of Missouri, relating to cities, towns and villages," was taken up and read first time.

House bill No. 730, entitled "An act to amend section 5529, chapter 101 of the Revised Statutes of Missouri, entitled 'Of elections,'" was taken up and read first time.

House bill No. 153, entitled "An act in relation to the removal of school house sites," was taken up and read first time.

House bill No. 173, entitled "An act to provide for the payment of wages of labor in lawful money of the United States," was taken up and read first time.

Substitute for House bill No. 242, entitled "An act to amend section 1566 of article 8 of the Revised Statutes, relating to offenses against public morals and decency, or the public police and miscellaneous offenses," was taken up and read first time.

House concurrent resolution fixing the day of adjournment *sine die*, of the 31st General Assembly, was taken up and referred to special committee of Senators Cottey, Bradley, Edwards of St. Charles, Byrns and DeArmond.

On second reading of House bills,

House bill No. 340, entitled "An act to authorize the Board of Commissioners of the Missouri Institution for the Education of the Deaf and Dumb to sell land," was taken up, read second time and referred to Committee on Deaf and Dumb Asylum.

House bill No. 442, entitled "An act to amend section 3198, article 3, chapter 47, concerning 'Hotels, inns and boarding house keepers,'" read second time and referred to Committee on Judiciary.

House bill No. 474, entitled "An act to provide and regulate the registration of voters in cities of twenty-five thousand and less than one hundred thousand inhabitants," was taken up, read second time and referred to Committee on Banks and Corporations.

House bill No. 554, entitled "An act to amend chapter 103 of the Revised Statutes of Missouri, entitled 'Fees,' by adding a new section thereto," was taken up, read second time and referred to Committee on Retrenchment and Reform.

House bill No. 595, entitled "An act entitled 'An act apportioning the State of Missouri into representative and Senatorial districts,'" was taken up, read second time and referred to Committee on Senatorial and Representative Apportionment.

House bill No. 566, entitled "An act in relation to the taxation of business avocations by municipal corporations," was taken up, read second time and referred to Committee on Ways and Means.

House bill No. 685, entitled "An act to amend section 5245, chapter 94 of the Revised Statutes, entitled 'County boundaries, and to correct an error in the description of the boundaries of Maries county,'" was taken up, read second time and referred to Committee on County Boundaries.

House bill No. 660, entitled "An act to amend section 6117 of article 2 of the Revised Statutes of Missouri of 1879, concerning 'School lands,'" was taken up, read second time and referred to Committee on Education.

House bill No. 677, entitled "An act to amend sections 6948 and 6953, chapter 147 of the Revised Statutes of the State of Missouri, entitled 'Roads and Highways,'" was taken up, read second time and referred to Committee on Roads and Highways.

House bill No. 725, entitled "An act concerning and regulating the time for holding elections for judges of probate courts," was taken up, read second time and referred to Committee on Banks and Corporations.

House bill No. 228, entitled "An act providing for the health and safety of persons employed in coal mines, and providing for the inspection of same," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, McMahan, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rouse and Walker—20.

NOES—Senators Dobyns, Hutt and Rogers—3.

ABSENT—Senators Bradley, Cottey, DeArmond, Dungan, Heaston, Jacobs, Lloyd, McGrath, Mabrey, Perkins and Stephens—11.

The title of the bill was read and agreed to.

Senator Headlee moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; which latter motion was agreed to.

Senator Rogers called up substitute for House bill No. 221, entitled "An act in relation to the filing of abstracts of judgments to secure liens in the cities in the State of Missouri having over one hundred thousand inhabitants, the duties of clerks in relation thereto, and the repeal of all acts or parts of acts inconsistent with this act," and moved to reconsider the vote by which the bill failed to pass; agreed to.

The question then recurring on the passage of the bill, it passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Naylor, Pehle, Rogers, Stephens and Walker—26.

NOES—Senators Cottey and Heard—2.

ABSENT—Senators Headlee, Jacobs, McGrath, Morrisson, Perkins and Rouse—6.

The title of the bill read and agreed to.

House bill No. 239, entitled "An act making county treasurers ex officio county collectors in counties having adopted township organization, and defining his duties," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Byrns, Bland, Caldwell, Cottey, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Heaston, Hutt, McMahan, Mabrey, Mackay, Manistre, Manring, Naylor, Pehle, Rogers and Walker—21.

ABSENT—Senators Bryant, Cabell, DeArmond, Dobyns, Dungan, Headlee, Jacobs, Lloyd, McGrath, Morrisson, Perkins, Rouse and Stephens—13.

The title of the bill was read and agreed to.

Senator Morrisson moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Rogers called up House bill No. 141, and the Senate refused to reconsider the vote by which the bill failed to pass.

House bill No. 428 was laid over informally.

Senate bill No. 199, entitled "An act to regulate the practice of dentistry in the State of Missouri," was taken up, read third time and laid over informally.

Senate bill No. 252, entitled "An act to amend section 2, chapter 6 of the Appendix to the Revised Statutes of Missouri, "Of laws specially applicable to the city of St. Louis, entitled 'Concerning the police,' " was taken up, read third time and failed to pass by the following vote :

AYES—Senators Byrns, Cabell, Edwards of Lafayette, Heard, Hutt, Mabrey, Naylor, Rouse, Stephens and Walker—10.

NOES—Senators Allen, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Gottschalk, Headlee, Heaston, Lloyd, McMahan, Mackay, Manistre, Manring, Morrisson and Peble—17.

ABSENT—Senators Bradley, Bryant, Bland, Jacobs, McGrath, Perkins and Rogers—7.

Senator DeArmond moved to reconsider the vote by which the bill failed to pass.

Senator Cottey moved to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Heard submitted a communication from the Good Templars of Pettis and Johnson counties, asking that the prohibition amendment be submitted to a vote of the people; which was referred to the Committee on Constitutional Amendments.

Senator Byrns submitted the following reports from the Committee on Criminal Jurisprudence, which were read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 132, entitled "An act to amend section 5632 of the Revised Statute, concerning fees," beg leave to report that they have considered the same, and recommend that it do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 590, entitled "An act to provide for the payment of the fees in the St. Louis court of criminal correction," beg leave to report that they have considered the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 600, entitled "An act to amend section 1754 of article 13, of the Revised Statutes of 1879, entitled 'Arrest and preliminary examination,' " beg leave to report that they have considered the same, and recommend that it do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to

whom was referred House bill No. 498, entitled "An act to prevent partners of prosecuting attorneys of this State from defending in criminal cases," beg leave to report that they have considered the same and recommend that it do pass.

Senator Bradley submitted the following report from the Committee on Enrolled Bills, which was read :

MR. PRESIDENT : Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate substitute for Senate bills 80, 86 and 88, to secure the adjustment and settlement of claims of the State of Missouri against the United States, for enrolling, equipping and subsisting the militia forces thereof, in suppressing the rebellion, and also claims of this State for five per cent. upon government lands disposed of by the United States, which have not heretofore been adjusted.

The President announced that all other business would be suspended, and directed the Secretary to read at length substitute for Senate bills Nos. 80, 86 and 88, entitled "An act to secure the adjustment and settlement of claims of the State of Missouri against the United States for enrolling, equipping and subsisting the militia forces thereof in suppressing the rebellion, and also claims of this State for five per cent. upon government lands disposed of by the United States, which have not heretofore been adjusted," and stated that, unless objection be made, he would sign said bill, to the end that it may become a law.

No objections being made, the bill was read at length by the Secretary, and, the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto.

Said bill was immediately sent to the House of Representatives for the signature of the Speaker.

Said bill having been signed by the President and Secretary of the Senate, and Speaker of the House of Representatives, was immediately presented to the Governor for his approval.

On motion of Senator Cottey the Senate adjourned.

SIXTY-FIRST DAY—SATURDAY, March 19.

MORNING SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

Senator Bradley submitted the following report from the Committee on Enrolled Bills, which was read :

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 151, entitled "An act to authorize the appointment of stenographic reporters in courts exercising criminal jurisdiction in cases of felony in cities having a population of more than one hundred thousand inhabitants."

The President announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No. 151, entitled "An act to authorize the appointment of stenographic reporters in courts exercising criminal jurisdiction in cases of felony in cities having a population of more than one hundred thousand inhabitants," and that unless objections be made he would sign the same to the end that it may become a law.

Said bill was read at length by the Secretary, and the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto. Said bill was immediately sent to the House of Representatives for the signature of the Speaker, and sent to the Governor for his approval, by the Secretary.

Senator Lloyd submitted the following resolution, which was read twice and adopted :

Resolved, That of the 5,000 copies (ordered printed) of the report of the Committee on Mines and Manufacturing, 1,000 copies be incorporated in the appendix to the Senate and House Journals; that 2,000 copies be forwarded to the State Board of Immigration for distribution, and that the remaining 2,000 copies be equally distributed among the Senators of the 31st General Assembly, and that the Secretary of the State be and he is hereby authorized to distribute said report as

provided by this resolution, and that the quota to the respective Senators be held by him subject to their order.

On second reading of House bills,

Substitute for House bill No. 142, entitled "An act to amend section 819, article 2 of chapter 21 of the Revised Statutes of Missouri, in relation to railroad companies, transfer switches," was taken up, read second time and referred to Committee on Internal Improvements.

House bill No. 153, entitled "An act in relation to the removal of school house sites," was taken up, read second time and referred to Committee on Education.

House bill No. 173, entitled "An act to provide for the payment of wages of labor in the lawful money of the United States," was taken up, read second time and referred to Committee on Judiciary.

Substitute for House bill no 242, entitled "An act to amend section 1566 of article 8 of the Revised Statutes, relating to offenses against public morals and decency, or the public police and miscellaneous offenses," was taken up, read second time and referred to Committee on Criminal Jurisprudence.

House bill No. 318, entitled "An act to amend section 1574, article 8, chapter 24 of the Revised Statutes, 'Of putting dead animals in wells, &c.,'" was taken up, read second time and referred to Committee on Criminal Jurisprudence.

Substitute for House bills Nos. 346 and 380, entitled "An act to amend section one thousand one hundred and fifty seven (1157), chapter twenty-three (23), article four (4) of the Revised Statutes of the State of Missouri, 'In relation to courts of record,'" was taken up, read second time and referred to Committee on Judiciary.

House bill No. 598, entitled "An act to amend section 930, article 8, chapter 21 of the Revised Statutes of the State of Missouri, 1879, entitled 'Manufacturing and business corporations.'" was taken up, read second time and referred to Committee on Banks and Corporations.

House bill No. 636, entitled "An act to amend section 4932, chapter 89, article 5 of the Revised Statutes of the State of Missouri, relating to cities towns and villages," was taken up, read second time and referred to Committee on Banks and Corporations.

House bill No. 730, entitled "An act to amend section 5529, chapter 101 of the Revised Statutes of Missouri, entitled 'Of elections,'" was taken up, read second time and referred to Committee on Privileges and Elections.

The following message was received from the House of Representatives through Mr. Hannay, Assistant Chief Clerk :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 733, entitled "An act authorizing cities acting under special charters and containing more than thirty thousand and less than fifty thousand inhabitants to establish a system of sewerage, and to construct, establish and keep in repair sewers, culverts and drains :"

Also, substitute for House bill No. 342, entitled "An act to amend section 7049 of the Revised Statutes, of Missouri 1879, relating to school enumerations :"

Also, substitute for House bill No. 354, entitled "An act to amend section 1160, chapter 23, article 4 of the Revised Statutes, entitled 'Circuit courts :'"

Also, substitute for House bill No. 325, entitled "An act to amend section 1182, chapter 23, article 5, Revised Statutes of Missouri, relating to probate courts :"—

In which the concurrence of the Senate is respectfully requested.

And that the House has also taken up and passed Senate bill No. 30, entitled "An act authorizing the establishing, widening and improving public roads, avenues and boulevards."

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 235, entitled "An act to amend section 2963, article 6, chapter 44, and section 4030, chapter 72 of the Revised Statutes, concerning 'Service of subpoenas.' " The bill was read at length, no other business intervening, and no objection being made, the President, in the presence of the Senate, in open session, signed said bill.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 444, entitled "An act entitled an act to provide for the disposition of surplus fund accruing from the sale of real estate of non-residents." The bill was read at length, no other business intervening, and no objections being made, the President, in the presence of the Senate, in open session, signed said bill.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 515, entitled "An act entitled an act to authorize towns, cities and villages to purchase, receive and hold real estate for the burial of the dead." The bill was read at length, no other business intervening, and no objections being made, the President, in presence of the Senate, in open session, signed said bill.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 530, entitled "An act for the relief of John Finn, late sheriff of the City of St. Louis, and to allow him certain credits." The bill was read at length, no other business intervening, and no objection being made, the President, in the presence of the Senate, in open session, signed said bill.

The President announced that all other business would be suspended and directed the secretary to read at length House bill No. 362, entitled "An act to amend section 513 of the Revised Statutes of 1879, relating to prosecuting and circuit attorneys." The bill was read at length, no other business intervening, and no objections being made, the President, in the presence of the Senate, in open session, signed said bill.

The President announced that all other business would be suspended, and directed the secretary to read at length substitute for House bill No. 9, entitled "An act to amend section 5620 of the Revised Statutes of the State of Missouri for the year 1879, entitled 'Fees.'" The bill was read at length, no other business intervening, and no objection being made, the President, in the presence of the Senate, in open session, signed said bill.

The President then announced that all other business would be suspended, and directed the Secretary to read at length substitute for House bill No. 164, entitled "An act to provide for the reimbursement to certain townships in certain counties of the State of Missouri, out of the State revenue, for moneys heretofore paid into the State Treasury belonging to said townships." The bill was read at length, no other business intervening, and, no objection being made, the President, in the presence of the Senate, in open session, signed said bill.

The following message was received from the Governor through his Private Secretary, Mr. Farr, which was read:

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON }
March 19, 1881. }

HON. ROBERT A. CAMPBELL, *President of the Senate*:

SIR: I return to the Senate, with my approval indorsed thereon, bills of the following titles:

"An act to amend sections 7169 and 7171, chapter 150, article 3 of the Revised Statutes of Missouri of 1879, entitled 'Normal schools.'"

"An act to amend section 7433, article 1, chapter 162 of the Revised Statutes of Missouri, 1879, entitled 'Township elections.'"

"An act to discourage the keeping of useless and sheep-killing dogs, and to provide indemnity for damages done by same."

"An act to amend section 3729 of article 11 of chapter 59 of the Revised Statutes of Missouri, entitled 'Of changes of venue.'"

"An act for the relief of L. C. Lohman, and to appropriate money therefor."

"An act to secure the adjustment and settlement of claims of the State of Missouri against the United States for enrolling, equipping and subsisting the militia forces thereof, in suppressing the rebellion, and also claims of this State for five per cent. upon Government lands disposed of by the United States which have not heretofore been adjusted."

"An act to amend section 7469, article 7 of chapter 162 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of township trustees and their duties.'"

"An act to authorize counties having a past due indebtedness for the building of court houses and jails, to refund the same and at a lower rate of interest."

"An act to amend section 4,200 of chapter 80 of the Revised Statutes of Missouri of 1879, 'Of billiard and other tables.'"

"An act to appropriate money to pay Mrs. Kate C. Mitchell of Jefferson county, for certain outstanding Union military bonds, and to provide for the cancellation of the same."

Very respectfully,

THOS. T. CRITTENDEN.

On third reading of House bills, House bill No. 182, entitled "An act to amend section 5622 of the Revised Statutes, relating to fees," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bland, Cabell, Caldwell, Cottey, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse and Stephens—26.

NOES—Senators DeArmond and Heaston—2.

ABSENT—Senators Bradley, Bryant, Byrns, Headlee, Perkins and Walker—6.

The title of the bill was read and agreed to.

Senator Edwards of St. Charles, moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

House bill No. 498, entitled "An act to prevent partners of prosecuting attorneys of this State from defending in criminal cases," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bryant, Bland, Cabell, Caldwell, Cottey,

DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse and Stephens—28.

ABSENT—Senators Bradley, Byrns, Gottschalk, Headlee, Perkins and Walker—6.

The title of the bill was read and agreed to.

Senator Edwards of St. Charles, moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Walker was granted leave of absence.

House bill No. 590, entitled "An act to provide for the payment of the fees in the St. Louis Court of Criminal Correction, was taken up, read the third time and passed by the following vote:

AYES—Senators Allen, Bland, Cabell, Caldwell, Cottey, DeArmond, Dungan, Edwards of St. Charles, Gottschalk, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse and Stephens—26.

NO—Senator Dobyns.

ABSENT—Senators Bradley, Rryant, Byrns, Edwards of Lafayette, Headlee, Perkins and Walker—7.

The title of the bill was read and agreed to.

Senator Manistre moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

House bill No. 600, entitled "An act to amend section 1754 of article 13 of the Revised Statutes of Missouri of 1879, entitled 'Arrest and preliminary examination,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Bland, Caldwell, Cottey, DeArmond, Edwards of Lafayette, Gottschalk, Heard, Heaston, Hutt, Lloyd, McGrath, McMahan, Mackay, Manistre, Manring, Morrison, Naylor, Pehle, Rouse and Stephens—23.

NOES—Senators Dobyns, Dungan and Rogers—3.

ABSENT—Senators Byrns, Cabell, Edwards of St. Charles, Headlee, Jacobs, Mabrey, Perkins and Walker—8.

The title of the bill was read and agreed to.

Senator Rogers moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Lloyd submitted the following report from the Committee on Internal Improvements, which was read :

MR. PRESIDENT: Your Committee on Internal Improvements to whom was referred House bill No. 78, entitled "An act to amend section 781 of article 2, chapter 21 of the Revised Statutes of Missouri of 1879, entitled 'Railroad companies,'" beg leave to report that they have considered the same and recommend that it do pass.

Senator Lloyd submitted the following reports from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 517, entitled "An act to amend section 2802, article 1 of chapter 44 of the Revised Statutes of the State of Missouri, so as to provide for an additional justice of the peace in towns of one hundred inhabitants or more, which may contain any medical springs or are situated within five hundred yards of such spring," beg leave to report that they have considered the same and recommend that it do pass.

House bill No. 78, entitled "An act to amend chapter 21, article 2, section 781 of the Revised Statutes of Missouri of 1879, entitled 'Railroad companies,'" was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse and Stephens—31.

ABSENT—Senators Byrns, Perkins and Walker—3.

The title of the bill was read and agreed to.

Senator Heard moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

House bill No. 517, entitled "An act to amend section twenty-eight hundred and three (2803), article one (1), chapter forty-four (44) of the Revised Statutes of the State of Missouri, so as to entitle towns of one hundred inhabitants or more, which may contain medical spring or springs, the water of which may be used for its curative or supposed curative effects, or which may be within five hundred yards of any such spring, to one justice of the peace, in addition to the number allowed by law to the township in which such town may be," was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell,

Caldwell, Edwards of St. Charles, Headlee, Heard, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mackay, Manistre, Pehle and Rouse—19.

NOES—Senators Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Heaston, Mabrey, Manring, Morrisson, Rogers and Stephens—12.

ABSENT—Senators Naylor, Perkins and Walker—3.

The title of the bill was read and agreed to.

Senator Lloyd moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

The following message was received from the Governor through Mr. Farr, his Private Secretary :

SIR: I return to the Senate with my approval endorsed thereon, a bill of the following title:

“An act to authorize the appointment of stenographic reporters in courts exercising criminal jurisdiction in cases of felony, in cities having a population of more than one hundred thousand inhabitants.”

Very respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, President of the Senate.

Senate bill No. 190, entitled “An act to amend article 8 of chapter 162 of the Revised Statutes of Missouri, entitled ‘Of township organization,’ by adding a new section thereto, in reference to procuring record books and stationery,” was taken up and the following House amendment was read:

Amend Senate bill No. 190 by adding to section 1 the following: “And it shall be the duty of the county court to issue a warrant to each and every township for an amount equal to the amount belonging to said township when said act was repealed, and any township back taxes collected for said township after said repeal, which may have been paid into the county treasury, and not appropriated for the benefit of said township, since said repeal by the county court.”

The amendment having been printed for the use of the Senate, was read first and second times and concurred in by the following vote:

AYES—Senators Allen, Bland, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heaston, Hutt, Jacobs, McMahan, Mabrey, Mackay, Manring Naylor, Pehle, Rogers, Rouse and Stephens—22.

NOES—Senator Morrisson.

ABSENT—Senators Bradley, Bryant, Byrns, Cabell, Edwards of St. Charles, Heard, Lloyd, McGrath, Manistre, Perkins and Walker—11.

Senator Heaston moved to reconsider the vote by which the amendment was concurred in, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Heaston submitted the following report from the Committee on Printing:

MR. PRESIDENT: Your Committee on Printing, to whom was referred substitute for House bill No. 282, entitled "An act to provide for the public printing and to elect a public printer," beg leave to report that have considered the same, and recommend that it do pass with the accompanying amendments.

The bill so reported, being substitute for House bill No. 282, entitled "An act to provide for the public printing and to elect a public printer," was taken up, and the following amendments offered by the committee read:

Amendment No. 1. Amend section 11 by adding to the section the following: "And if the printer fail to promptly and satisfactorily print and return to the General Assembly, or either House thereof, any bill, resolution or other document, the General Assembly, or either branch thereof, may by resolution direct their committee to cause such printing to be done elsewhere, and the cost and expense thereof shall be deducted from the compensation of the public printer."

Amendment No. 2. Amend section 15 by striking out the following words: "For each copy of the decisions of the Supreme Court, one dollar and thirty cents," in line 7, printed bill, and insert at end of section the following: "The decisions of the Supreme Court shall be published in volumes equal in size, paper, binding, printing and the amount of matter contained therein to the seventeenth volume of the Missouri Reports. The public printer shall receive in full for composition, printing and binding such reports, two dollars and twenty-five cents for each volume delivered to the Secretary of State. The reports shall be furnished in such number as may be required in writing by the Secretary of State and Attorney-General; the Secretary of State is authorized to sell such reports at two dollars and fifty cents per volume net. He may also sell session acts or journals of either House at one-dollar per volume; all money received by the Secretary of State shall be paid into the State Treasury."

Amendment No. 3. Amend section 15 by striking out the words "three-fourths of a cent per page," in line 12, printed bill, and insert in place thereof the words "per one hundred copies, twenty cents."

Amendment No. 4. Amend section 16 by striking out the words "sixty days," in line 4, printed bill, and insert in place thereof "thirty-days," and by striking out the words "forty days," in line 7, printed bill and insert in lieu thereof the words "thirty days."

The bill and amendments laid over informally and amendments ordered printed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 405, entitled "An act to amend section 1549, article 8, chapter 24, Revised Statutes of Missouri, concerning 'Offenses against public morals and decency, or the public police and miscellaneous offenses,'" beg leave to report that they have considered the same, and recommend that it do pass with the following amendments.

The bill so reported being House bill No. 405, entitled "An act to amend section 1549, article 8, chapter 24, Revised Statutes of Missouri, concerning offenses against public morals and decency, or the public police and miscellaneous offenses," was taken up, and the following amendment offered by the committee, read twice and adopted :

Amend by adding to the end of section 1549, "or by fine not exceeding five hundred dollars or less than fifty dollars." The bill was then read third time and passed by the following vote :

AYES—Senators Allen, Byrns, Bland, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manring, Morriison, Naylor, Pehle, Rouse and Stephens—26.

NOES—Senators Cabell, Gottschalk, Manistre and Rogers—4.

ABSENT—Senators Bradley, Bryant, Perkins and Walker—4.

The title of the bill was read and agreed to.

Senator Byrns moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 485, entitled "An act to amend section 1904, article 18, chapter 24, 'Of crimes and criminal procedure,'" beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported, being House bill No. 486, entitled "An act to amend section one thousand nine hundred and four (1904), article eighteen (18), chapter twenty-four (24), of the Revised Statutes of

Missouri, entitled 'Of crimes and criminal procedure,' was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Byrns, Bland, Cabell, Caldwell, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse and Stephens—27.

NO—Senator Cottey.

ABSENT—Senators Bradley, Bryant, Edwards of St. Charles, Manistre, Perkins and Walker—6.

The title of the bill was read and agreed to.

Senator Hutt moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Byrns submitted the following report from the Committee on Criminal Jurisprudence; which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 560, entitled "An act to authorize county courts to have all persons confined in county jails to work on public roads or to break rock for road purposes," beg leave to report that they have considered the same, and recommend that it do pass.

House bill No. 560, entitled "An act to authorize county courts in the State of Missouri to cause persons convicted of crime and sentenced to county jails, to work on roads or to break rocks for road purposes," was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bryant, Byrns, Bland, Cabell, Caldwell, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrison, Naylor, Pehle, Rogers, Rouse and Stephens—29.

NO—Senator Cottey.

ABSENT—Senators Bradley, Edwards of St. Charles and Perkins—3.

ABSENT ON LEAVE—Senator Walker.

The title of the bill was read and agreed to.

Senator Jacobs moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Bryant submitted the following report from the Committee on Senatorial and Representative Apportionment, which was read :

MR. PRESIDENT: Your Committee on Senatorial and Representative Apportionment, to whom was referred House bill No. 595, entitled "An act apportioning the State of Missouri into Representative and Senatorial districts," beg leave to report that they have considered the same and I am instructed by a majority of your committee to report the same back with the recommendation that it do pass with the accompanying amendments.

House bill No. 595 was taken up, and the following amendment offered by the committee, was read :

Amend by striking out all after section 1, and insert in lieu thereof the following :

Section 2. The State shall be divided into thirty-four Senatorial Districts, which shall be constituted and numbered as follows :

The first District shall be composed of the counties of Nodaway, Atchison and Holt.

Second District—The counties of Buchanan and Andrew.

Third District—The counties of Clinton, Clay, Platte and DeKalb.

Fourth District—The counties of Gentry, Worth, Harrison and Daviess.

Fifth District—The counties of Livingston, Grundy, Mercer and Putnam.

Sixth District—The counties of Chariton, Linn and Sullivan.

Seventh District—The counties of Randolph, Macon and Adair.

Eighth District—The counties of Ray, Caldwell and Carroll.

Ninth District—The counties of Boone, Howard and Cooper.

Tenth District—The counties of St. Charles, Warren, Montgomery and Callaway.

Eleventh District—The counties of Pike, Lincoln and Audrain.

Twelfth District—The counties of Lewis, Clark, Knox, Scotland and Schuyler.

Thirteenth District—The counties of Marion, Shelby, Ralls and Monroe.

Fourteenth District—The counties of Bates, Cass and Henry.

Fifteenth District—The county of Jackson.

Sixteenth District—The counties of Vernon, Barton and Jasper.

Seventeenth District—The counties of Lafayette and Johnson.

Eighteenth District—The counties of Newton, McDonald, Lawrence, Barry and Stone.

Nineteenth District—The counties of Saline, Pettis and Benton.

Twentieth District—The counties of Polk, Hickory, Dade, Cedar and St. Clair.

Twenty-first District—The counties of Webster, Douglas, Taney, Ozark, Greene and Christian.

Twenty-second District—The counties of Phelps, Maries, Pulaski, Texas, Wright, Dent and Crawford.

Twenty-third District—The counties of Mississippi, Cape Girardeau, New Madrid, Pemiscot, Dunklin and Scott.

Twenty-fourth District—The counties of Butler, Wayne, Reynolds, Carter, Ripley, Shannon, Oregon, Howell and Stoddard.

Twenty-fifth District—The counties of Franklin, Gasconade, Osage and Cole.

Twenty-sixth District—The counties of St. Francois, Ste. Genevieve, Perry, Madison, Iron and Bollinger.

Twenty-seventh District—The counties of Jefferson, St. Louis and Washington.

Twenty-eighth District—The counties of Moniteau, Morgan, Miller, Camden, Dallas and Laclede.

The city of St. Louis shall be divided into six districts, numbered respectively as follows: Twenty-ninth, Thirtieth, Thirty-first, Thirty-second, Thirty-third and Thirty-fourth.

Sec. 3. In each county entitled to more than one representative the county court shall cause the county to be subdivided into districts of compact and contiguous territory, corresponding to the number of representatives to which such county is entitled, and in population as nearly equal as may be, in each of which the qualified voters thereof shall elect one representative, who shall be a resident of such district.

Sec. 4. In the city of St. Louis the circuit court shall cause the city to be subdivided into districts, so as to give each district not less than two nor more than four representatives, who shall be residents of such district. The population of the districts shall be proportioned to the number of representatives to be elected therefrom.

Sec. 5. In the city of St. Louis the circuit court shall cause the said city to be subdivided into six senatorial districts, as provided by section 2 of this act; said districts to be of compact and contiguous territory, and of population as nearly equal as may be, corresponding in number with the senators to be elected from the said city of St. Louis; and each of these districts shall be entitled to one senator, who shall be a resident of said district, and shall be elected by the voters thereof: *Provided*, That said district shall not be so formed as to cause the residence of two senators now representing odd numbered districts to be in the same district, and the numbers of the districts now represented by such senators shall not be changed.

Sec. 6. At the general election in eighteen hundred and eighty :

Sec. 6. At the general election in eighteen hundred and eighty-two, the whole number of representatives, and the senators from the districts having even numbers, who shall compose the second class shall be chosen; and in the year eighteen hundred and eighty-four, the senators from the districts having the odd numbers, who shall compose the first class, shall be chosen; and so on at each succeeding general election half the senators provided by this act, and the whole number of representatives shall be chosen.

Sec. 7. All courts required by this act to district any county or city into representative or senatorial districts, shall perform such duty on or before the first day of January, 1882, and cause their entries of record touching the premises to be promptly published in some newspaper or newspapers of the proper county or city, at the cost of such county or city.

Sec. 8. All acts and parts of acts inconsistent with this act are hereby repealed.

Which was read, and Senator Bryant offered the following amendment:

Amend by inserting a new section, as follows: Sec. 9. Nothing in this act contained shall affect membership in the Thirty-first General Assembly.

On motion of Senator Heard the further consideration was laid over informally.

Senator Cottey submitted the following report from the Conference Committee:

MR. PRESIDENT: Your Committee of Conference, appointed to adjust the differences of the two Houses in relation to substitute for House bill No. 186, entitled "An act to appropriate money for the support of the State government for the years 1881 and 1882," the matters of difference between the two Houses, and submitted to the Conference Committee, being Senate amendments to substitute for House bill No. 186, numbered as follows, to wit: Nos. 1, 3, 5, 7, 8, 9, 11, 12, 13, 14, 15, 16 and 17, beg leave to report that they have considered the same, and have agreed to and do recommend the adoption of the following of said amendments, to wit:

Amendment No. 1. Amend section 3 by striking out the words "one-third," in line 3, printed bill, and by inserting in lieu thereof the words "one-fourth."

Amendment No. 5. Amend section 6 by striking out all between the figures "(\$15,800.00)" in the 11th line, printed bill, and the words "and for the salaries," in line 22, and insert in lieu thereof the following: "For the support of Lunatic Asylum No. 2, at St. Joseph, twen-

ty-five thousand dollars (\$25,000.00), out of which amount seven thousand and five hundred dollars (7,500.00), or so much thereof as may be necessary, shall be used for the purchase of surgical instruments, for supplying water for the Asylum, for refurnishing the Asylum, for building an ice house, for cementing basement walls of the Asylum, for paving the floor of the basement, laying walks around the Asylum, building a coal house, improving the grounds, and plastering and completing the rooms of the upper story of the building."

Amendment No. 8. Amend section 9 in lines 4 and 5, printed bill, by striking out the words and figures "two hundred and seventy-five thousand dollars (\$275,000.00)," and by inserting in lieu thereof the words and figures "three hundred and forty thousand dollars (\$340,000.00)," and by adding thereto the following: "For the pay of pensioners for the years 1881 and 1882, (under acts of 1841, 1844 and 1845), the sum of two hundred dollars (\$200.00); and for the apprehension of criminals and suppression of outlawry, the sum of fifteen thousand dollars (\$15,000.00)."

Amendment No. 11. Amend section 12 by adding after the figures "(\$5,000.00)," in the tenth line, printed bill, the following: "For repairing Governor's Mansion, furnaces, plumbing and painting the same, the sum of two thousand dollars (\$2,000.00), this last sum to be expended under the supervision of the Warden of the Penitentiary."

Amendment No. 12. Amend section 12 by adding, at the close of the same, the following:

"*Sixth*—For refitting and furnishing the Senate Chamber, and refurnishing the Hall of Representatives, five thousand dollars (\$5,000.00), to be expended under the supervision of the Governor, State Auditor and State Treasurer."

Amendment No. 13. Amend section 16 by striking out of the 9th line, printed bill, the words and figures, to wit: "One thousand dollars (\$1,000.00)," and by inserting in lieu thereof the following words and figures: "Twenty-five hundred dollars (\$2,500.00)."

Your committee further report that they have considered, agreed to, and recommend that the following be adopted in lieu of Senate amendment No. 7, to wit:

Amend section 8 by striking out the following words and figures: "eighteen thousand dollars (\$18,000)," in line ten, printed bill, and insert in lieu thereof the following: "twenty-two thousand five hundred dollars (\$22,500)."

Your committee further report that they have considered, agreed to, and recommend that the following be adopted in lieu of Senate amendment No. 14, to wit:

Amend section 21 by striking out the words "to be used in the purchase and distribution of the Missouri Hand-book," in lines 5 and 6 of printed bill, and by inserting in lieu thereof the following: "Shall be used in the immediate purchase of not less than sixty thousand copies of the 'Hand-book of Missouri,' which shall be divided equally between, and distributed by the State Board of Immigration and the Missouri Immigration Society.

Your committee further report that they have considered, agreed to, and recommend that the following be adopted in lieu of Senate amendment No. 3, to wit:

Amend section (5) five, with subdivision of House bill, by striking out in lines fifty-three (53) and fifty-four (54), printed bill, the following, to wit: "fifty-five thousand dollars," and inserting in lieu thereof the words and figures, "eighty thousand dollars (\$80,000)."

Your committee further report that they have considered, agreed to, and recommend that the following be adopted in lieu of Senate amendment No. 15, to wit:

Amend section twenty-six (26) of House bill, by striking out in line five (5), printed bill, the words and figures, "three hundred thousand dollars (\$300,000)," and inserting in lieu thereof the words and figures, "two hundred and fifty thousand dollars (\$250,000)."

Your committee further report that they have considered, agreed to, and recommend that Senate amendments Nos. (9) nine, (16) sixteen and (17) seventeen be not adopted.

Your committee further report that they have considered, agreed to, and recommend the following amendment to section (10) ten, House bill No. 186:

Amend by striking out in lines sixteen (16), seventeen (17) and eighteen (18), section ten (10), printed bill, the following: "for the apprehension of criminals and suppression of outlawry, the sum of fifteen thousand dollars (\$15,000)."

Which report was read at length and adopted by the following vote:

AYES—Senators Allen, Bradley, Bland, Bryant, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse, Stephens and Walker—30.

ABSENT ON LEAVE—Senators Byrns, Dungan and Headlee—3.

ABSENT—Senator Perkins.

Senator Cottey moved to reconsider the vote by which the report was adopted, and to lay the motion to reconsider on the table; the latter motion prevailed.

The following message was received from the House of Representatives through Mr. Purdom, one of the clerks:

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 377, entitled "An act to repeal section 6661, chapter 145, article 1 the Revised Statutes of Missouri, in relation to assessment and collection of the revenue:"

Also, House bill No. 593, entitled "An act to amend section 6959 of chapter 147 of the Revised Statutes of the State of Missouri of 1879:"

Also, that the House has taken up House bill No. 333, entitled "An act to amend sections 285 and 986, article 10, chapter 22 of Revised Statutes of Missouri, entitled 'Costs in civil cases,' and concurred in the following Senate amendments thereto: No. 1 Amend by striking out of said act the words and figures, "article ten (10):" No. 2 Amend title by striking out the words and figures, "article ten (10)."

In which the concurrence of the Senate is respectfully requested.

On first reading of House bills,

House bill No. 377, entitled "An act to repeal section 6661, chapter 145, article 1 of the Revised Statutes of Missouri, in relation to assessment and collection of the revenue," was taken up and read first time.

House bill No. 497, entitled "An act to amend sections 5493, chapter 101 of the Revised Statutes of the State of Missouri," was taken up and read first time.

House bill No. 593, entitled "An act to amend sections 6959 of chapter 147 of the Revised Statutes of the State of Missouri of 1879," was taken up and read first time.

House bill No. 784, entitled "An act regulating the levying of taxes upon real and personal property, including choses in action in cities containing more than thirty thousand and less than fifty thousand inhabitants," was taken up and read first time.

House bill No. 595 was taken up, and the amendment offered by Senator Bryant read first and second times and adopted.

Senator Walker offered the following substitute for the original amendment:

Amend by striking out section 2 and insert the following in lieu thereof:

Section 2. The State is hereby divided into thirty-four senatorial

districts, the members of the Senate to be elected as hereinafter designated, to wit :

The first district shall be composed of the counties of Nodaway, Atchison and Holt.

Second district—The counties of Buchanan and Andrew.

Third district—The counties of Clinton, Clay, Platte and DeKalb.

Fourth district—The counties of Gentry, Worth, Harrison and Daviess.

Fifth district—The counties of Livingston, Grundy, Mercer and Putnam.

Sixth district—The counties of Ray, Caldwell and Carroll.

Seventh district—The counties of Randolph, Macon and Adair.

Eighth district—The counties of Chariton, Linn and Sullivan.

Ninth district—The counties of Boone, Cole, Miller and Osage.

Tenth district—The counties of St. Charles, Warren, Montgomery and Callaway.

Eleventh district—The counties of Pike, Lincoln and Audrain.

Twelfth district—The counties of Lewis, Clark, Knox, Scotland and Schuyler.

Thirteenth district—The counties of Marion, Shelby, Ralls and Monroe.

Fourteenth district—The counties of Bates, Cass and Henry.

Fifteenth district—The county of Jackson.

Sixteenth district—The counties of Vernon, Barton and Jasper.

Seventeenth district—The counties of Lafayette and Johnson.

Eighteenth district—The counties of Newton, McDonald, Lawrence, Barry and Stone.

Nineteenth district—The counties of Saline, Pettis and Benton.

The ayes and noes being demanded, the substitute was lost by the following vote :

AYES—Senators Cabell, Caldwell, Cottey, Edwards of St. Charles, Heard, McGrath, McMahan, Mabrey, Manring, Morrisson, Naylor, Rogers, Rouse, Stephens and Walker—15.

NOES—Senators Allen, Bradley, Bryant, Bland, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Heaston, Hutt, Jacobs, Lloyd, Mackay, Manistre and Pehle—16.

ABSENT—Senator Perkins.

ABSENT ON LEAVE—Senators Byrns and Headlee—2.

Senator Cottey offered the following amendment :

Amend Senate amendment to House bill No. 595 by striking out in the 27th line of the printed amendment the words, " and Schuyler," and by inserting after the word "Adair," in the 18th line the words "and Schuyler."

The ayes and noes being demanded, the amendment was lost by the following vote :

AYES—Senators Caldwell, Cottey, Edwards of Lafayette, McGrath, Rogers and Walker—6.

NOES—Senators Allen, Bradley, Bryant, Bland, Cabell, DeArmond, Dungan, Edwards of St. Charles, Gottschalk, Heard, Hutt, Jacobs, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Rouse and Stephens—23.

ABSENT—Senators Dobyns, Heaston and Perkins—3.

ABSENT ON LEAVE—Senators Byrns and Headlee—2.

Senator Hutt moved to reconsider the vote by which the Senate refused to adopt the amendment offered by Senator Walker.

Ayes and noes being demanded, the motion to reconsider was lost by the following vote :

AYES—Senators Caldwell, Cottey, Edwards of Lafayette, Edwards of St. Charles, Heard, Hutt, McGrath, McMahan, Mabrey, Mackay, Morrisson, Naylor, Rouse, Stephens and Walker—15.

NOES—Senators Allen, Bradley, Bryant, Bland, DeArmond, Dobyns, Dungan, Gottschalk, Heaston, Jacobs, Lloyd, Manistre, Manring, Pehle and Rogers—15.

ABSENT—Senators Cabell and Perkins—2

ABSENT ON LEAVE—Senators Byrns and Headlee—2.

The pending Senate amendments were then adopted, and the bill, being House bill No. 595, entitled "An act entitled an act apportioning the State of Missouri into representative and senatorial districts," was taken up, read third time and passed by the following vote :

AYES—Senators Bradley, Bryant, Bland, DeArmond, Dobyns, Edwards of Lafayette, Edwards of St. Charles, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, Mabrey, Mackay, Morrisson, Naylor and Rouse—18.

NOES—Senators Allen, Caldwell, Cottey, Dungan, Gottschalk, McMahan, Manistre, Manring, Pehle, Rogers, Stephens and Walker—12.

ABSENT—Senators Cabell and Perkins—2.

ABSENT ON LEAVE—Senators Byrns and Headlee—2.

The title of the bill was read and agreed to.

Senator Bryant moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Bradley submitted the following report from the Committee on Enrolled Bills :

MR. PRESIDENT: Your Committee on enrolled Bills have carefully examined and find truly enrolled Senate joint and concurrent resolu-

tion No. 4, entitled "Joint and concurrent resolution urging Congress to aid the construction of a ship railway across the Isthmus of Tehuantepec."

The president announced that all other business would be suspended, and directed the secretary to read at length Senate joint and concurrent resolution No. 4, entitled "Joint and concurrent resolution urging Congress to aid the construction of a ship railway across the Isthmus of Tehuantepec," and that unless objections be made he would sign the same to the end that it may become a law.

No objections being made said bill was read at length by the Secretary, and the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto. Said bill was immediately sent to the House of Representatives for the signature of the Speaker.

Senate joint and concurrent resolution No. 4, having been signed by the President of the Senate and the Speaker of the House of Representatives, was this day presented to the Governor for his approval.

Senator Cottey offered the following resolution, which was read and adopted :

Resolved, That the House of Representatives be respectfully requested to return to the Senate, House bill No. 369.

Senator Bradley submitted the following reports from the Committee on Enrolled Bills, which were read :

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 84, entitled "An act to consolidate the permanent school fund and the seminary fund in certificates of indebtedness of the State bearing six per cent interest, and to provide for canceling the State bonds and certificates of indebtedness now held in trust for said funds."

MR. PRESIDENT: Your Committee on Enrolled Bill have carefully examined and find truly enrolled Senate bill No. 85, entitled "An act for the relief of the heirs of Alexander H. Henderson, and to appropriate money therefor."

The president announced that all other business would be suspended and directed the secretary to read at length Senate bill No. 84, entitled "An act to consolidate the permanent school fund and the seminary fund in certificates of indebtedness of the State bearing six per cent. interest, and to provide for cancelling the State bonds and certificate of indebtedness now held in trust for said funds," which was then read at length by the secretary, and no objection being made, it was signed by the presiding officer to the end that it may become a

law, in the presence of the Senate in open session, no other business intervening; said bill was then taken into the House of Representatives and was there signed by the Speaker, and immediately presented to the Governor for his approval by the secretary.

The president then directed the secretary to read at length Senate bill No. 85, entitled "An act for the relief of the heirs of Alexander H. Henderson." The bill was so read, and no objection being made, it was signed by the presiding officer in the presence of the Senate in open session, no other business intervening. Said bill was then taken to the House of Representatives, and after being signed by the Speaker was immediately presented by the secretary to the Governor for his approval.

On motion of Senator Naylor, the Senate adjourned till 10 o'clock to-morrow morning.

SIXTY-FOURTH DAY—WEDNESDAY, March 23.

MORNING SESSION.

The Senate met pursuant to adjournment.

President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Heaston introduced the following resolution, which was adopted:

WHEREAS, A misunderstanding has arisen concerning the resolution heretofore adopted by this body authorizing the Doorkeeper to engage certain employes, and as said resolution was defective in not properly defining the duties of those so employed; therefore be it

Resolved, That the persons so engaged be designated as "employes," and the Committee on Accounts be instructed to allow them such compensation as is provided by law for employes.

Senator Edwards of St. Charles, submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 161, entitled "An act in relation to marriage and marriage license," beg leave to report that they have considered the same, and recommend that it do pass with accompanying amendment.

House bill No. 161, entitled "An act in relation to marriage and marriage license," was taken up and the following amendment, reported by the committee, was read twice and agreed to :

Amend section 2 by striking out the word "authorized," in line 7 of said section of engrossed bill, and inserting in lieu thereof the word "authorizes."

Senator Mackay submitted the following report from the Committee on Retrenchment and Reform, which was read :

MR. PRESIDENT: Your Committee on Retrenchment and Reform, to whom was referred substitute for House bill No. 554, entitled "An act to amend chapter 103 of the Revised Statutes of Missouri, "Of fees," by adding a new section thereto," beg leave to report that they have considered the same, and recommend that it do not pass.

House bill No. 554, being so reported, was indefinitely postponed.

The following message was received from the House of Representatives through Mr. Hannay, Assistant Chief Clerk :

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up House bill No. 525, entitled "An act to amend section 1163, chapter 23, article 4 of the Revised Statutes of Missouri, relating to courts of record, and concurred in the following amendments thereto :

Amend the bill by striking out all after the enacting clause and inserting the following in lieu thereof :

SECTION 1. Section eleven hundred and sixty-three, chapter twenty-three of the Revised Statutes of Missouri is hereby amended by striking out the words "in the county of Lincoln, on the first Monday after the fourth Monday in March, and on the second Monday in October," in third and fourth lines of said section, and by striking out the words "January" and "June," in the sixth line of the section, and inserting in lieu thereof the words "May" and "November," so that said section, as amended, shall read as follows :

SEC. 1163. In the Nineteenth Judicial Circuit, in the county of St. Charles, on the first Mondays in March and September ; in the county of Warren, on the third Monday in April, and on the fourth Monday in October ; in the county of St. Louis, on the second Mondays in May and November.

Also, that the House has taken up substitute for House bill 313, entitled "An act to amend section 3098 of chapter 45 of the Revised Statutes of 1879, 'Of landlord and tenant,'" and concurred in the following Senate amendment:

Amend by striking out "seventh," between the words "the" and "line," in the third and fourth lines, and inserting in lieu thereof "sixth," and by inserting between the words "the" and "lessee," in the twenty-sixth line, the word "tenant," and by inserting between "lessee" and "to," in the thirtieth line, the following: "And to all persons occupying the premises, by name, requiring them," and by adding to said bill the following: "*Provided*, That in all causes where the justice of the peace in any such district is interested, either as principal or agent in the result of such suit, then such suit shall be brought in some adjoining district."

Also, House bill No. 450, entitled "An act to regulate the appointment of notaries public in all cities having a population of one hundred thousand inhabitants or more," and concurred in the following Senate amendments:

Amend the bill by striking out the words "such city," in the section one, and inserting in lieu thereof the words "the State," and by adding to section four, at the end thereof, the following: At the expiration of ten days after the taking effect of this act; and every person who shall act, or assume to act, as notary public after his office shall be thus vacated or after his term shall have expired, or without legal authority to act as notary public, shall be guilty of a misdemeanor."

Amend title of bill by adding the following thereto: "And to vacate the office of all notaries public in office in such cities ten days after the taking effect of this act."

Also House bill No. 474, entitled "An act to provide and regulate the registration of voters in cities of twenty-five thousand and less than one hundred thousand inhabitants," and concurred in the following Senate amendments:

No. 1.—Amend by striking out all of section 19, and inserting the following:

Sec. 19. The common council of every city in which registration of voters may be had under and by virtue of any special charter, or under the provisions of this act, may, by ordinance, provide for two or more precincts in each ward of such city, and such common council may, by ordinance, make such provisions as to judges and clerks of elections and additional copies of registration lists, and the use of such

copies at such voting precincts, as may be necessary in the premises.

No. 2.—Amend section 23 by striking out the word “first,” in the fifth line of the same, printed bill, and inserting therein the word “fifth.”

No. 3.—Amend section 26 by inserting after the word “act,” in the first line thereof in printed bill, the words “except those contained in section nineteen.”

No. 4.—Amend title by adding thereto the words, “and providing for additional precincts in the same.”

Also, taken up and passed House bill No. 554, entitled “An act to amend section 4175, chapter 78, article—of the Revised Statutes of the State of Missouri, relating to auctioneers :”

Also, House bill No. 693, entitled “An act to repeal section 2614, chapter 37 of the Revised Statutes of Missouri, in relation to ‘Guardians and curators,’ and enacting a new section in lieu thereof”—

In which the concurrence of the Senate is respectfully requested.

Senator Perkins submitted the following report from the Committee on Roads and Highways, which was read :

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred House bill No. 427, entitled “An act to provide for working and repairing public roads in counties having an assessed valuation of fifteen million dollars or more, and more than one hundred and fifty miles macadamized and graveled roads,” beg leave to report that they have considered the same, and a majority of the committee recommend that it do pass.

Senator Bradley submitted the following report from the Committee on Enrolled Bills, which was read :

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined, and find truly enrolled, Senate bill No. 207, entitled “An act to appropriate money to pay costs in criminal case to Hazelton J. Skinner, clerk of circuit court of Harrison county.”

The President announced that all other business be suspended, and directed Senate bill No. 207, entitled “An act for the relief of Hazelton J. Skinner, and to appropriate money therefor,” to be read at length.

The bill was so read, and there being no objections, the presiding officer in the presence of the Senate in open session, signed said bill, no other business being entertained.

The bill was immediately sent to the House of Representatives for the signature of the Speaker, and sent to the Governor for his approval.

Senator Perkins submitted the following report from the Committee on Roads and Highways, which was read :

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred House bill No. 286, entitled "An act to amend section 7495, article 11, chapter 162, Revised Statutes of Missouri, entitled 'Of township organization relating to roads and highways,' beg leave to report that they have considered the same, and recommend that it do pass.

On first reading of House bills,

House bill No. 544, entitled "An act to amend section 4175, chapter 78, article — of the Revised Statutes of the State of Missouri, relating to auctioneers," was taken up, read first time.

House bill No. 693, entitled "An act to repeal section 2614, chapter 37 of the Revised Statutes of Missouri, in relation to 'Guardians and curators,' and enacting a new section in lieu thereof," was taken up, and read first time.

The President announced that all other business would be suspended, and directed House bill No. 239, entitled "An act entitled an act making county treasurers *ex officio* county collectors in counties having adopted township organization, and defining his duties," to be read at length.

The bill was so read, and there being no objections made, the presiding officer in the presence of the Senate in open session, signed said bill, no other business being entertained.

The President announced that all other business would be suspended, and directed House bill No. 78, entitled "An act to amend chapter 21, article 2, section 781 of the Revised Statutes of Missouri of 1879, entitled 'Railroad Companies,' " to be read at length.

The bill was so read, and there being no objections, the presiding officer in the presence of the Senate in open session, signed said bill, no other business being entertained.

The President directed all business to be suspended, and House bill No. 600, entitled "An act to amend section 1754 of article 13 of the Revised Statutes of Missouri of 1879, entitled 'Arrest and preliminary examination,' " to be read at length.

The bill was so read, and there being no objections, the presiding officer in the presence of the Senate in open session, signed said bill, no other business being entertained.

The President announced that all other business would be suspended, and directed House bill No. 441, entitled "An act to amend

section 5998, article 3 of chapter 119 of the Revised Statutes of Missouri, entitled 'Insurance other than life,' to be read at length.

The bill was so read, and there being no objections made, the presiding officer in the presence of the Senate in open session, signed said bill, no other business being entertained.

The President announced that all other business would be suspended, and directed House bill No. 590, entitled "An act to provide for the payment of the fees in the St. Louis court of criminal correction," to be read at length.

The bill was so read, and there being no objections made, the presiding officer in the presence of the Senate in open session, signed said bill, no other business being entertained.

The President announced that all other business would be suspended, and directed House bill No. 560, entitled "An act to authorize county courts in the State of Missouri to cause persons convicted of crime and sentenced to county jails, to work on roads or to break rocks for road purposes," to be read at length.

The bill was so read, and there being no objections made, the President in the presence of the Senate in open session, signed said bill, no other business being entertained.

The President announced that all other business would be suspended, and directed House bill No. 486, entitled "An act to amend section one thousand nine hundred and four (1904), article eighteen (18), chapter twenty-four (24) of the Revised Statutes of the State of Missouri, entitled 'Of crimes and criminal procedure,' to be read at length.

The bill was so read, and there being no objections made, the presiding officer in the presence of the Senate in open session, signed said bill, no other business being entertained.

The President announced that all other business would be suspended, and directed House bill No. 228, entitled "An act providing for the health and safety of persons employed in coal mines, and providing for the inspection of same," to be read at length.

The bill was so read, and there being no objections made, the presiding officer in the presence of the Senate in open session, signed said bill, no other business being entertained.

The President announced that all other business would be suspended, and directed House bill No. 221, entitled "An act in relation to the filing of abstracts of judgments to secure liens in the cities in the State of Missouri having over one hundred thousand inhabitants, the duties of clerks in relation thereto, and the repeal of all acts or parts of acts inconsistent with this act," to be read at length.

The bill was so read, and no objections being made, the presiding officer in the presence of the Senate in open session, signed said bill, no other business being entertained.

The President announced that all other business would be suspended, and directed House bill No. 517, entitled "An act to amend section twenty-eight hundred and three (2803), article one (1), chapter forty-four (44) of the Revised Statutes of the State of Missouri, so as to entitle towns of one hundred inhabitants or more, which may contain medical spring or springs, the water of which may be used for its curative or supposed curative effects, or which may be within five hundred yards of any such spring, to one justice of the peace in addition to the number allowed by law to the township in which such town may be," to be read at length.

The bill was so read, and no objections being made, the presiding officer in the presence of the Senate in open session, signed said bill, no other business being entertained.

The President announced that all other business would be suspended, and directed House bill No. 132, entitled "An act to amend section 5632 of the Revised Statutes, relating to 'Fees,'" to be read at length.

The bill was so read read, and no objections being made, the presiding officer in the presence of the Senate in open session, signed said bill, no other business being entertained.

The following message was received from the House of Representatives through one of the Clerks, Mr. Purdom :

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up, amended, and passed Senate bill No. 139, entitled "An act to provide for the medical treatment of insane criminals, and to appropriate money therefor."

In which the concurrence of the Senate is respectfully requested.

A message was received from the Governor, through his private Secretary, Mr. Farr, which was read :

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, March 23, 1881. }

SIR: I return to the Senate, with my approval endorsed thereon, bills of the following titles :

"An act to consolidate the permanent school fund and the seminary fund in certificates of indebtedness of the State, bearing six per cent. interest, and to provide for cancelling the State bonds and certificate of indebtedness, now held in trust for said funds."

"An act for the relief of the heirs of Alexander H. Henderson."

Also, joint and concurrent resolution entitled "Joint and concurrent resolution urging Congress to aid the construction of a ship railway across the Isthmus of Tehuantepec."

Very respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, President of the Senate.

On second reading of House bills,

House bill No. 62, entitled "An act regulating the sale of intoxicating liquors upon election days," was taken up, read second time and referred to Committee on Criminal Jurisprudence.

Substitute for House bill No. 90, entitled "An act to amend section 1631 of article 8 of chapter 24 of the Revised Statutes of Missouri, concerning 'Crimes and criminal procedure,'" was taken up, read second time and referred to Committee on Criminal Jurisprudence.

House bill No. 312, entitled "An act to amend section 7241, chapter 156, article 1, title 'State University,'" was taken up, read second time and referred to Committee on State University.

Substitute for House bill No. 232, entitled "An act creating and regulating the office of marshal of criminal courts in all cities in this State, having a population of over one hundred thousand inhabitants," was taken up, read second time and referred to Committee on Criminal Jurisprudence.

House bill No. 462, entitled "An act to amend section twenty-eight hundred and sixty-five (2865) of article 3 of chapter 44 of the Revised Statutes, entitled 'Of justices courts,'" was taken up, read second time and referred to Committee on Judiciary.

House bill No. 548, entitled "An act to repeal sections 1603 and 1604 of article 8, chapter 24 of the Revised Statutes of the State of Missouri, 1879, 'Of offenses against public morals and decency, or the public police and miscellaneous offenses,'" was taken up, read second time and referred to Committee on Criminal Jurisprudence.

House bill No. 734, entitled "An act regulating the levying of taxes upon real and personal property, including choses in action in cities containing more than thirty thousand and less than fifty thousand inhabitants," was taken up, read second time and referred to Committee on Ways and Means.

House bill No. 593, entitled "An act to amend section 6959 of chapter 147 of the Revised Statutes of the State of Missouri of 1879," read second time and referred to Committee on Roads and Highways.

House bill No. 543, entitled "An act for the completion and im-

provement and furnishing necessary heating apparatus and furniture for the Normal School building of the second district, and to appropriate money therefor," was taken up, read second time and Senator Mabrey offered the following amendment:

Amend section 6 of printed bill by striking out all of section after the word "therefor," in line 18.

The bill and amendment were referred to Committee on Ways and Means.

Substitute for House bill No. 159, entitled "An act to repeal section three thousand four hundred and sixty-eight (3468), article one (1), chapter fifty-nine (59) of the Revised Statutes of Missouri, 'Of practice in civil cases,' and enact a new section in lieu thereof," was taken up, read second time and referred to Committee on Judiciary.

House bill No. 377, entitled "An act to repeal section 6661, chapter 145, article 1 of the Revised Statutes of Missouri, in relation to assessment and the collection of the revenue," was taken up, read second time and referred to Committee on Ways and Means.

House bill No. 489, entitled "An act providing for the appointment of receivers to take charge of and manage the business of railroad companies in certain cases," was taken up, read second time and referred to Committee on Internal Improvements.

House bill No. 494, entitled "An act to amend section seven thousand and forty-four (7044), article one (1), chapter one hundred and fifty (150), Revised Statutes of Missouri, in relation to the use of school houses," was taken up, read second time and referred to Committee on Education.

House bill No. 497, entitled "An act to amend section 5493, chapter 101 of the Revised Statutes of the State of Missouri," was taken up, read second time and referred to Committee on Privileges and Elections.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 489, entitled "An act to prevent partners of prosecuting attorneys of this State from defending in criminal cases."

The bill was read at length by the Secretary; no objection being made, and the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto.

On third reading of House bills,

House bill No. 161, entitled "An act in relation to marriage and

marriage license," was taken up, read third time, and Senator Edwards of St. Charles offered the following amendment, which was agreed to :

Amend section 3, line 8, by inserting between the words "shall" and "in" the word "State."

Senator Morrisson offered the following amendment, which was read :

Amend section 2 by striking out all of said section to the word "issue," in the third line printed bill, and inserting the following in lieu thereof :

"Section 2. All civil officers authorized under the laws of this State to solemnize marriages, shall, upon the application of any person legally entitled to a marriage license to," and by striking out of the 8th line, printed bill the words "or ordained preacher of the gospel," and by striking out of the 11th line, printed bill, the following words : "who is — the age of 21 years," and by striking out all after line 12, printed bill of said section.

The ayes and nays being demanded, the amendment was lost by the following vote :

NOES—Senators Allen, Bradley, Bryant, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse and Stephens—32.

ABSENT—Senator Walker.

ABSENT ON LEAVE—Senator Byrns.

Senator Bradley offered the following amendment :

Amend section 6 by striking out in line 9 the words "the issuing of the same," and insert the words "solemnizing the marriage," which was read first and second times, and pending consideration, Senator DeArmond moved that the Senate adjourn.

The ayes and nays being demanded, the motion was lost by the following vote :

AYES—Senators Allen, Bradley, DeArmond, Edwards of St. Charles, Gottschalk, Heaston, McGrath, Mabrey, Mackay and Morrisson—10.

NOES—Senators Bryant, Bland, Caldwell, Cottey, Dobyns, Dungan, Edwards of Lafayette, Headlee, Heard, Hutt, Jacobs, Lloyd, McMahan, Manistre, Manring, Naylor, Perkins, Rogers, Rouse and Stephens—20.

ABSENT—Senators Cabell, Pehle and Walker—3.

ABSENT ON LEAVE—Senator Byrns.

The President announced that all other business would be suspended and directed the Secretary to read at length House bill No. 428, entitled "An act for the relief of Sewall W. Smith and James R. Jones."

The bill was read at length, no other business intervening, and no objection being made, the President, in the presence of the Senate, in open session signed said bill.

Senator Cottey moved that when the Senate adjourn, it adjourn until 10 o'clock to-morrow morning, which was agreed to.

The Senate resumed consideration of the amendment offered by Senator Bradley to House bill No. 161.

Senator Cabell moved the previous question, the ayes and noes being demanded, the previous question was ordered by the following vote:

AYES—Senators Allen, Bland, Cabell, Caldwell, Dobyns, Dungan, Gottschalk, Headlee, Heard, Hutt, Jacobs, Lloyd, Mabrey, Mackay, Manistre, Manring, Naylor, Perkins, Rogers, Rouse and Stephens—21.

NOES—Senators Bradley, Cottey, DeArmond, Edwards of Lafayette, Edwards of St. Charles, Heaston, McGrath, McMahan and Morrisson—9.

ABSENT—Senators Bryant, Pehle and Walker—3.

ABSENT ON LEAVE—Senator Byrns.

The question then being on the amendment offered by Senator Bradley, and the ayes and nays being demanded, it was lost by the following vote:

AYES—Senators Bradley, Cabell, Cottey, Edwards of St. Charles, Heaston, Hutt, McGrath, McMahan and Morrisson—9.

NOES—Senators Allen, Bryant, Bland, Caldwell, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Jacobs, Lloyd, Mabrey, Mackey, Manistre, Manring, Naylor, Perkins, Rogers, Rouse and Stephens—22.

ABSENT—Senators Pehle and Walker—2.

ABSENT ON LEAVE—Senator Byrns.

The bill was then read third time and passed by the following vote:

AYES—Senators Allen, Bland, Caldwell, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Jacobs, Lloyd, McMahan, Mabrey, Mackay, Manistre, Manring, Naylor, Perkins, Rogers, Rouse and Stephens—21.

NOES—Senators Bradley, Cabell, Cottey, DeArmond, Edwards of St. Charles, Heaston, Hutt, McGrath and Morrisson—9.

ABSENT—Senators Bryant, Pehle and Walker—3.

ABSENT ON LEAVE—Senator Byrns.

The of the bill was read and agreed to.

Senator Lloyd moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table. The latter motion prevailed.

On motion of Senator Heaston, the Senate adjourned.

SIXTY-FIFTH DAY—THURSDAY, March 24.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

The following message was received from the House of Representatives, through one of the clerks, Mr. Morton :

MR. PRESIDENT: I am instructed by the House, to inform the Senate that there has been introduced into and passed the House,

Substitute for House bills Nos. 176 and 234, entitled "An act to repeal sections 5426, 5427, 5428, 5429, 5430, 5431, 5432 and 5433, chapter 97, Revised Statutes of Missouri, 'Of dogs:.'"

Also, substitute for House bill No. 715, entitled "An act to repeal section 834 of article 3, chapter 21, Revised Statutes of Missouri of 1879, and to insert a new section in lieu thereof:"

Also, taken up House bill No. 220, entitled "An act for the relief and benefit of John N. Payne, and concurred in the following Senate amendment hereto annexed :

Amend section one by adding thereto the following: "And the sum of two hundred and fifty dollars is hereby appropriated for the payment of the same."

Also, House bill No. 725, entitled "An act concerning and regulating the time for holding elections for judges of probate courts," and concurred in the following Senate amendment hereto annexed:

Amend the bill by adding thereto a new section, as follows :

Sec. 5. The fact that in certain counties of the State confusion exists and contests have arisen as to whether or not judges of probate whose terms have expired by limitation shall hold to the exclusion of successors claiming to be duly elected, but about the legality of whose election there is some question, constitutes an emergency within the meaning of the Constitution for the immediate going into effect of this act ; therefore, this act shall take effect and be in force from and after its passage.

Also, substitute for House bill No. 479, entitled, "An act to prevent railroad companies from pooling or dividing their earnings, and provide a punishment therefor :"

Also, House bill No. 256, entitled "An act to amend section 1348 of article 3 of the Revised Statutes of Missouri, entitled 'Offenses against public and private property :'"

Also, House bill No. 714, entitled "An act prescribing how grand juries shall be selected in cities having over three hundred thousand inhabitants :"

Also, House bill No. 597, entitled "An act to amend sections 797 and 817 of chapter 21, article 2 of Revised Statutes, 'Of corporations,'" and concurred in the following Senate amendment hereto annexed :

Amend preface to section 817, engrossed bill, by adding thereto the following: "And amend by inserting between the words 'grain' and 'consigned,' in the third line of said section, the following: 'And other freight :'"

Also, House bill No. 728, entitled "An act to define and construe the fourth paragraph of section 3489 of article (4) four of chapter (59) fifty-nine of the Revised Statutes, 'Of the manner of commencing suits and the service of notices,' of practice in civil cases :"

Also, House bill No. 253, entitled "An act amending article 1 of chapter 117, entitled 'Inspection of petroleum :'"

Also, taken up substitute for House bills Nos. 346 and 380, entitled "An act to amend section 1157, chapter 23, article 4, Revised Statutes, changing the time of holding court in the 13th judicial circuit," and concurred in the following Senate amendment hereto annexed :

Amend by striking out all after the enacting clause, and inserting in lieu thereof the following: Section 1. Section one thousand one hundred twenty seven of the Revised Statutes is hereby amended by striking out the words "in the county of Taney, on the first Mondays in April and October," and by striking out the words "first Mondays in May and November," in the fourth line of said section, and inserting in lieu thereof "second Mondays in March and September," and by striking out the words "second Mondays in May and November," in

the fifth line of said section, and inserting in lieu thereof "fourth Monday in February and August;" and by striking out the words "May and November," in the sixth line of said section, and inserting in lieu thereof "April and October," so that section, as amended, shall read as follows:

Section 1157. In the 13th judicial circuit, in the county of Ozark, on the third Mondays in April and October; in the county of Shannon on the second Mondays in March and September; in the [county] of Oregon, on the fourth Mondays in February and August; in the county of Howell, on the fourth Mondays in April and October.

Also, House bill No. 409, entitled "An act to repeal chapter 70 of Revised Statutes of Missouri, entitled 'Of the right of way in certain cases:'"

Also, substitute for House bill No. 366, entitled "An act to regulate the inspection of tobacco and to appoint tobacco inspectors:"

Also, House bill No. 395, entitled "An act to amend section two thousand seven hundred and forty-three (2743), chapter 42 of the Revised Statutes of Missouri, 'Of judgments:'"

Also, House bill No. 641, entitled "An act to amend chapter 147 of the Revised Statutes of Missouri, concerning roads and highways, by adding two new sections thereto, providing for a right of way over lands to railroads:"

Also, House bill No. 708, entitled "An act to amend section 1829, article 16, chapter 24, Revised Statutes, 'Of crimes and criminal procedure:'"

Also, House bill No. 683, entitled "An act to more fully protect miners in weights, and punish persons who weigh minerals for not giving correct statements of weights."

Emergency clause not taken up.

The President announced that all other business would be suspended, and directed House bill No. 333, entitled "An act to amend sections 985 and 986, article 10, chapter 22 of the Revised Statutes, 'Of costs in criminal cases,'" to be read at length.

The bill was so read, and no other business intervening, and no objection being made, was signed by the President in the presence of the Senate in open session.

The President announced that all other business would be suspended, and directed House bill No. 635, entitled "An act to amend section 5245, chapter 94 of the Revised Statutes, entitled 'County boundaries,' and to correct an error in the description of the boundaries of Maries county," to be read at length.

The bill was so read, and no objections being made, the President,

in the presence of the Senate, in open session, signed said bill, no other business being entertained.

The President announced that all other business would be suspended, and directed House bill No. 536, entitled "An act relating to the duties of county clerks and other officers in counties under township organization," to be read at length.

The bill was so read, no objections being made; the presiding officer, in the presence of the Senate, in open session, signed said bill, no other business being entertained.

The President announced that all other business would be suspended, and directed substitute for House bill No. 313, entitled "An act to amend 3098 of chapter 45 of the Revised Statutes, concerning landlords and tenants," to be read at length.

The bill was so read, and no objections being made, the presiding officer, in the presence of the Senate, in open session, signed said bill, no other business being entertained.

The President announced that all other business would be suspended, and directed House bill No. 340, entitled "An act to authorize the board of commissioners of the Missouri Institution for the Education of the Deaf and Dumb to sell land," to be read at length.

The bill was so read, and no objections being made, the presiding officer, in the presence of the Senate, in open session, signed said bill, no other business being entertained.

The President announced that all other business would be suspended, and directed House bill No. 476, entitled "A bill for an act to prevent the manufacture and sale of oleaginous substances, or compounds of the same, in imitation of the pure dairy products," to be read at length.

The bill was so read, and no objections being made, the presiding officer, in the presence of the Senate, in open session, signed said bill, no other business being entertained.

The President announced that all other business would be suspended, and directed House bill No. 729, entitled "An act to amend an act entitled 'an act creating a board of police commissioners and authorizing the appointment of a permanent police force for the city of Kansas,' approved March 27, 1874, so that the salary of the chief of police may be increased to a sum not exceeding two thousand dollars per annum," to be read at length.

The bill was so read, and no objections being made, the presiding officer, in the presence of the Senate, in open session, signed said bill, no other business being entertained.

The President announced that all other business would be suspended, and directed House bill No. 525, entitled "An act to amend section 1163, chapter 23, article 4 of the Revised Statutes of the State of Missouri, relating to courts of record," to be read at length.

The bill was read at length, no other business intervening, and, no objection being made, the President, in the presence of the Senate, in open session, signed said bill.

The President announced that all other business would be suspended, and directed House bill No. 598, entitled "An act to amend section 930, article 8, chapter 21 of the Revised Statutes of the State of Missouri, 1879, entitled 'Manufacturing and business corporations,' " to read at length.

The bill was read at length, no other business intervening, and no objection being made, the President, in the presence of the Senate, in open session, signed said bill.

The President then announced that all other business would be suspended, and directed House bill No. 450, entitled "An act to regulate the appointment of notaries public in all cities having a population of one hundred thousand inhabitants or more," to be read at length.

The bill was read at length, no other business intervening, and no objections being made, the President, in presence of the Senate, in open session, signed said bill.

The President announced that all other business would be suspended and directed House bill No. 153, entitled "An act in relation to the removal of school house sites," to be read at length.

The bill was read at length, no other business intervening, and no objections being made, the President, in the presence of the Senate, in open session, signed said bill.

The President announced that all other business would be suspended, and directed House bill No. 426, entitled "An act to repeal section 7669 of chapter 168 of the Revised Statutes of Missouri, 1879, entitled 'Of wharfage,' " to be read at length.

The bill was read at length, no other business intervening, and no objections being made, the President, in the presence of the Senate, in open session, signed said bill.

The President announced that all other business would be suspended, and directed House bill No. 420, entitled "An act to amend sections 1127, 1135 and 1165 of the Revised Statutes, concerning circuit courts, and attaching the county of Taney to the Twenty-first Judicial Circuit," to be read at length.

The bill was read at length, no other business intervening, and no objection being made, the President, in the presence of the Senate, in open session, signed said bill.

The President announced that all other business would be suspended, and directed House bill No. 369, entitled "An act to amend section 4954, chapter 89, article 5 of the Revised Statutes of the State of Missouri, relating to cities, towns and villages," to be read at length.

The bill was read at length, no other business intervening, and no objection being made, the President, in the presence of the Senate, in open session, signed said bill.

The President announced that all other business would be suspended, and directed House bill No. 660, entitled "An act to amend section 6117 of article 2 of the Revised Statutes of Missouri of 1879, concerning school lands," to be read at length.

The bill was read at length, no other business intervening, and, no objection being made, the President, in the presence of the Senate, in open session, signed said bill.

The President announced that all other business would be suspended, and directed substitute for House bill No. 102, entitled "An act to amend section 7103, Revised Statutes, relating to county school funds," to be read at length.

The bill was read at length, no other business intervening, and, no objection being made, the President, in the presence of the Senate, in open session, signed said bill.

The President announced that all other business would be suspended and directed House bill No. 471, entitled "An act to amend section 4952, 4953 and 4955, chapter 89, article 5 of the Revised Statutes of the State of Missouri, relating to cities, towns and villages," to be read at length.

The bill was read at length, no other business intervening, and, no objection being made, the President, in the presence of the Senate, in open session, signed said bill.

Senator Manring submitted the following report from the Committee on Township Organization, which was read:

MR. PRESIDENT: Your Committee on Township Organization, to whom was referred substitute for House bills Nos. 279 and 330, entitled "An act to amend section 7514, article 11, chapter 162, Revised Statutes of Missouri, entitled 'Of township Organization, relating to roads and highways,'" beg leave to report that they have considered the same, and recommend that it do pass.

Senator Manring submitted the following report from the Committee on Township Organization, which was read :

MR. PRESIDENT: Your Committee on Township Organization, to whom was referred substitute for House bill No. 291, entitled "An act to amend section 7529, chapter 162, article 12, Revised Statutes, entitled 'Of township organization,' relating to compensation of assessors," beg leave to report that they have considered the same and recommend that it do not pass.

Substitute for House bill No. 291, being so reported, was indefinitely postponed.

Senator Morrisson submitted the following report from the Committee on Education, which was read :

MR. PRESIDENT: Your Committee on Education to whom was referred House bill No. 494, entitled "An act to amend section 7044, article 1, chapter 150, Revised Statutes, in relation to the use of school houses," beg leave to report that they have considered the same, and a majority of the committee recommend that it do pass.

Senator Perkins submitted the following report from the Committee on Roads and Highways, which was read :

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred House bill No. 677, entitled "An act to amend sections 6948 and 6953, chapter 147 of the Revised Statutes of Missouri, entitled 'Roads and Highways,'" beg leave to report that they have considered the same, and recommend that it do pass.

Senator Edwards of St. Charles submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 206, entitled "An act for the relief of Thomas J. Barker, and to appropriate money therefor," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Edwards of St. Charles submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 459, entitled "An act to regulate the sale of medicines and poisons by druggists and pharmacists," beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendments.

House bill No. 459, being so reported, was taken up and the following amendments, offered by the committee, were each read twice and adopted :

Amendment No. 1.—Amend section 7, line one, by inserting after the word “pharmacist,” the words “apothecary or owner of any drug store.”

Amendment No. 2.—Amend bill by striking out section 10.

Amendment No. 3.—Amend by renumbering section 11 as section 10, section 12 as section 11, section 13 as section 12, and section 14 as section 13.

Senator Edwards of St. Charles submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 90, entitled “An act to amend section 1631 of article 8, chapter 24, of the Revised Statutes, concerning ‘Crimes and criminal procedure,’” beg leave to report that they have considered the same, and recommend that it do pass.

Senator DeArmond submitted the following report from the Committee on Judiciary :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred substitute for House bill No. 354, entitled “An act to amend section 1160, chapter 23, article 4, of the Revised Statutes, entitled ‘Circuit courts,’” beg leave to report that they have considered the same and recommend that it do pass with the accompanying amendment.

Substitute for House bill No. 354 being so reported, was taken up, and the following amendment, offered by the committee, read twice and adopted :

Amend by striking out all after the enacting clause, and inserting in lieu thereof the following: Section 1. That section 1160 of the Revised Statutes be and the same is hereby amended by striking out the words “on the second Monday in February and fourth Monday in July,” where they occur between the words “Marion and Hannibal,” in the third and fourth lines of said section, and inserting in lieu thereof the following: “On the first Monday in June and the second Monday in November,” and by adding to said section the following: “All writs and processes heretofore issued and returnable to the terms of court as now provided by law, shall be returnable to the terms of the respective courts, as provided by this act, and shall have the same force and effect as if no change had been made in the time of holding said courts,” so that said section, as amended, shall read as follows:

"Section 1160. In the sixteenth judicial circuit the courts shall be held at the following designated times in each county respectively, in each year: In the county of Marion, on the first Monday in June, and the second Monday in November; Hannibal court of common pleas, on the second Monday in January, first Monday in May, and third Monday in September; in the county of Ralls, on the third Monday in March and the fourth Monday in August; in the county of Monroe on the third Monday in October; in the county of Shelby, on the first Monday in April and the second Monday in October. All writs and processes heretofore issued and returnable to the terms of court, as now provided by law, shall be returnable to the terms of the respective courts, as provided by this act, and shall have the same force and effect as if no change had been made in the time of holding said court.

"Section 2. The change in the time of holding court in the county of Marion, creates an emergency; therefore, this act shall take effect and be in force from and after its passage."

On motion of Senator DeArmond the rules were suspended, bill read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Bland, Caldwell, DeArmond, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manring, Naylor, Pehle, Perkins, Rogers, Rouse and Stephens—24.

ABSENT—Senators Allen, Cabell, Cottey, Dobyns, Dungan, Heard, Manistre, Morrisson and Walker—9.

ABSENT ON LEAVE—Senator Byrns.

The emergency clause of said bill was passed by the following vote:

AYES—Senators Bradley, Bryant, Bland, Caldwell, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Headlee, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse and Stephens—25.

ABSENT—Senators Cabell, Cottey, Gottschalk, Heard, Manistre and Walker—6.

ABSENT ON LEAVE—Senators Allen, Byrns and Dobyns—3.

The title of the bill was read and agreed to.

Senator Jacobs moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Allen was reported sick.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 415, entitled "An act to amend section 3489, article 4, chapter 59 of the Revised Statutes of Missouri, 'Of the manner of commencing suits and the service of notices,'" beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment.

The bill so reported being House bill No. 415, entitled "An act to amend section 3489, article 4 of chapter 59 of the Revised Statutes of Missouri, 'Of the manner of commencing suits and the service of notices,'" was taken up and the following amendment reported by the committee read first and second times and adopted:

Amend by striking out the words "by the clerk issuing the original writ," where they occur in the preface and at the end of section 1 of said bill, and inserting in lieu thereof the words "by the officer serving the same, and for each copy necessarily made by him he shall be entitled to a fee of ten cents."

The rules were suspended and the bill read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Bland, Cabell, Caldwell, DeArmond, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manring, Morrison, Perkins, Rogers and Stephens—22.

NOES—Senators Headlee, Heaston, Pehle and Rouse—4.

ABSENT—Senators Cottey, Dobyns, Dungan, Manistre, Naylor and Walker—6.

ABSENT ON LEAVE—Senator Byrns.

SICK—Senator Allen.

The emergency clause failed to pass by the following vote:

AYES—Senators Dungan and McMahan—2.

NOES—Senators Bryant, Bland, Caldwell, DeArmond, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heaston, Hutt, Jacobs, Lloyd, McGrath, Mabrey, Mackay, Manring, Pehle, Perkins, Rogers, Rouse and Stephens—20.

ABSENT—Senators Bradley, Cabell, Cottey, Dobyns, Headlee, Heard, Manistre, Morrisson, Naylor and Walker—10.

ABSENT ON LEAVE—Senator Byrns.

SICK—Senator Allen.

The title of the bill was read and agreed to.

Senator DeArmond moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 523, entitled "An act to amend section one thousand one hundred and eighty (1180), article five (5), chapter twenty-three (23) of the Revised Statutes of Missouri, 'Of courts of record,'" beg leave to report that they have considered the same, and recommend that it do pass.

Senator Heaston submitted the following report from the Committee on Federal Relations, which was read :

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred House joint and concurrent resolution No. 29, extending to the people of Ireland the sympathy of the people of Missouri, beg leave to report that they have considered the same, and recommend that it do pass.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 112, entitled "An act for the completion and improvement and furnishing necessary heating apparatus and furniture for the normal school building of the second district, and to appropriate money therefor," beg leave to report that they have considered the same, and a majority of your committee recommend that the accompanying substitute do pass.

Senate bill No. 112 not being called for, the substitute reported by the committee was taken up, read first and second times and adopted and the bill ordered engrossed.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Substitute for House bills Nos. 311 and 440, entitled "An act to amend section 6785 of article 4 of chapter 145 of the Revised Statutes of the State of Missouri of 1879, concerning the assessment and collection of the revenue," beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendments.

Substitute for House bills Nos. 311 and 440 was taken up and the following amendments reported by the committee were read first and second times and adopted :

Amendment No. 1—Amend by striking out after the words "follows," in line 2, printed bill, the following words: Amend subdivision one by striking out the word "five," in the third line, and inserting the word "ten," in the place thereof.

Amend subdivision 2 of said section by striking out the word "five," in the second line, and inserting the word "ten" in the place thereof, and by striking out the word "ten," in the third line, and inserting the word "twenty" in the place thereof.

Amend subdivision 3 of said section by striking out the word "ten" in the second line, and inserting the word "twenty" in place thereof, and by striking out the word "fifteen," in the third line, and inserting the word "thirty" in lieu thereof, and by striking out the word "seven" and inserting the word "six" in lieu thereof.

Amend subdivision 4 of said section by striking out the word "fifteen," in second line, and inserting the word "thirty" in the place thereof, and by striking out the word "twenty-five," in the third line and inserting the word "fifty" in lieu thereof, and by striking out the word "six" in the third line, and inserting the word "five" in lieu thereof.

Amend subdivision 5 by striking out the words "twenty-five" in the second line, and insering in lieu thereof the word "forty," and by striking out the word "forty" in the third line and inserting the word "sixty," and further by striking out the word "five" in the third line and inserting in lieu thereof the word "four."

Amend subdivision 6 by striking out of the second line the word "forty," and inserting in the place thereof the word "sixty," and by striking out of the third line the word "sixty" and inserting the word "eighty" in lieu thereof, and further by striking out of the third line the word "four" and inserting in lieu thereof the word "three."

Amend subdivision 7 by striking out of the second line the word "sixty" and inserting in lieu thereof the word eighty," and by striking out of the third line the word "eighty" and inserting in lieu thereof the words "one hundred," and further by striking from the third line the word "three" and inserting the words "two and one-half" in lieu thereof.

Amend subdivision 8 by striking out of the second line the word "eighty" and substituting in lieu thereof the words "one hundred," and by striking out of the third line the word "twenty" and inserting in lieu thereof the word "thirty," and by striking out of the fourth line the word "half" and inserting the word "fourth" in lieu thereof.

Amend subdivision 9 by striking out the word "twenty" in the second line and inserting in lieu thereof the word "thirty," and by striking out of the third line the word "fifty" and inserting the word "ninety" in lieu thereof.

Amend subdivision 10 by striking out of the second line the word "fifty" and inserting in lieu thereof the word "ninety," and by striking out of the fourth line the word "one-half" and inserting in lieu

thereof the word "three-fourths," and insert in lieu thereof the following: Amend subdivision 10 by striking out of the fourth line of said subdivision the words "one and one-half per cent.," and by inserting in lieu thereof the words "one and three-fourths per cent."

Amendment No. 2. Amend by inserting after the words "five hundred" in line 64, printed bill, these words: "Amend subdivision thirteen by adding after the word "comptroller," the following: *Provided, however*, that this act shall not apply to any county adopting township organization."

Amendment No. 3. Amend by striking out after the word "were" in the sixty-ninth line, printed bill, the following words:

I. In each county in this State wherein the State, county, bridge, road, school, and all other local taxes, including merchants' and dram-shop licenses assessed and levied for any one year, amounts to ten thousand dollars or less, a commission of ten per cent. on the amount collected.

II. In all counties wherein the total amount of all such taxes and licenses levied for any one year is over ten thousand dollars and less than twenty thousand dollars, a commission of eight per cent. on the amount collected.

III. In all counties wherein the total amount of all such taxes and licenses levied for any one year is more than twenty thousand dollars and less than thirty thousand dollars, a commission of six per cent. on the amount collected.

IV. In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds thirty thousand dollars and less than forty thousand dollars, a commission of five per cent. on the amount collected.

V. In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds forty thousand dollars and is less than sixty thousand dollars, a commission of four per cent. on the amount collected.

VI. In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds sixty thousand dollars and is less than eighty thousand dollars, a commission of three per cent. on the amount collected.

VII. In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds eighty thousand dollars and is less than one hundred thousand dollars, a commission of two and one-half per cent. on the amount collected.

VIII. In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds one hundred thousand dollars

and is less than one hundred and thirty thousand dollars, a commission of two and one-fourth per cent. on the amount collected.

IX. In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds one hundred and thirty thousand dollars and is less than one hundred and ninety thousand dollars, a commission of two per cent on the amount collected.

X. In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds one hundred and ninety thousand dollars and is less than two hundred and fifty thousand dollars, a commission of one and three-fourths per cent. on the amount collected.

And insert in lieu thereof the following:

I. In each county in this State wherein the whole State, county, bridge, road, school, and all other local taxes, including merchants' and dram-shop licenses assessed and levied for any one year, amounts to five thousand dollars or less, a commission of ten per cent. on the amount collected.

II. In all counties wherein the total amount of all such taxes and licenses levied for any one year is over five thousand dollars and less than ten thousand dollars, a commission of eight per cent. on the amount collected.

III. In all counties wherein the total amount of all such taxes and licenses levied for any one year is more than ten thousand dollars and less than fifteen thousand dollars, a commission of seven per cent. on the amount collected.

IV. In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds fifteen thousand dollars and less than twenty-five thousand dollars, a commission of six per cent. on the amount collected.

V. In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds twenty-five thousand dollars and is less than forty thousand dollars, a commission of five per cent. on the amount collected.

VI. In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds forty thousand dollars and is less than sixty thousand dollars, a commission of four per cent. on the amount collected.

VII. In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds sixty thousand dollars and is less than eighty thousand dollars, a commission of three per cent. on the amount collected.

VIII. In all counties wherein the total amount of all such taxes

and licenses levied for any one year exceeds eighty thousand dollars and is less than one hundred and twenty thousand dollars, a commission of two and one-half per cent. on the amount collected.

ix. In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds one hundred and twenty thousand dollars and is less than one hundred and fifty thousand dollars, a commission of two per cent. on the amount collected.

x. In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds one hundred and fifty thousand dollars and is less than two hundred and fifty thousand dollars, a commission of one and three-fourths per cent. on the amount collected.

Amendment No. 4. Amend section 1, subdivision 12, lines 122 and 123, printed bill, by inserting after the words, "five hundred thousand," the word "dollars."

Amendment No. 5. Amend section 1, subdivision 13, line 196, printed bill, by striking out the word "county," and by inserting in lieu thereof the word "court."

The rules were suspended and the bill read third time and passed by the following vote :

AYES—Senators Bryant, Bland, Oabell, Caldwell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manring, Morrisson, Pehle Perkins, Rogers, Rouse and Stephens—26.

ABSENT—Senators Bradley, Dobyns, Jacobs, Naylor and Walker—5.

ABSENT ON LEAVE—Senator Byrns.

SICK—Senators Allen and Manistre—2.

The title of the bill was read and agreed to.

Senator Cottey moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means to whom was referred House concurrent resolution No. 25, entitled "Concurrent resolution authorizing the Adjutant-General of the State of Missouri to withdraw certain original vouchers from the State Auditor's office and file them in the treasury department of the United States, and to withdraw the certified copies on file there," beg leave to report that they have considered the same, and recommend that it do pass.

The President announced that all other business would be suspended, and directed substitute for House bill No. 186, entitled "An act to appropriate money for the support of the State Government for the years 1881 and 1882," to be read at length. The bill was so read, and no objection being made, the presiding officer, in the presence of the Senate, in open session, signed said bill, no other business being entertained.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read:

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred House bill No. 669, entitled "An act to appropriate money for the deficiencies in the appropriations for the years 1879 and 1880, and to appropriate money for payment of certain demands against the State for the payment of which no appropriation has hitherto been made," beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment.

House bill No. 669, being so reported, was taken up and the following amendment, reported by the committee, read first and second times and adopted:

Amend section 1 by adding thereto the following: Eleventh—For salaries of officers of Lunatic Asylum No. 2, at St. Joseph for the year 1880, fourteen hundred and twenty-five dollars (\$1,425.00).

The amendment was read third time and passed by the following vote:

A YES—Senators Bryant, Bland, Cabell, Caldwell, Cottey, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McGrath, McMahan, Mackay, Manring, Morrison, Pehle, Perkins, Rogers, Rouse and Stephens—23.

ABSENT—Senators Bradley, DeArmond, Dobyns, Dungan, Jacobs, Mabrey, Naylor and Walker—8.

ABSENT ON LEAVE—Senators Byrns.

SICK—Senators Allen and Manistre—2.

The title of the bill was read and agreed to.

Senator Cottey moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

The following message was received from the House of Representatives through Mr. Purdom, one of the clerks:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed,

Senate bill No. 177, entitled "An act for the relief of Charles G. Comstock, and to appropriate money therefor:"

Also, Senate bill 186, entitled "An act concerning the transportation of nitro-glycerine and other combustible and explosive articles:"

Also, Senate bill No. 231, entitled "An act for the relief of George W. Arnold and George W. Fricke, and to appropriate money therefor:"

Also, House bill No. 149, entitled "An act to amend section five thousand four hundred and sixty-seven (5467), chapter ninety-eight (98) Revised Statutes of Missouri, 'Of dramshops.'"

Senator Cottey submitted the following report from the Committee on Ways and Means:

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred House bill No. 736, entitled "An act to authorize and empower the Fund Commissioners to borrow one hundred and fifty thousand dollars to meet a casual deficiency in the revenue fund in the year 1881," beg leave to report that they have considered the same, and recommend that it do pass.

House bill No. 736, entitled "An act to authorize and empower the Fund Commissioners to borrow one hundred and fifty thousand dollars to meet a casual deficiency in the revenue fund in the year 1881," was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Bland, Cabell, Caldwell, Cottey, DeArmond, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse and Stephens—25.

ABSENT—Senators Dobyys, Dungan, Edwards of Lafayette, Jacobs, McGrath and Walker—6.

ABSENT ON LEAVE—Senator Byrns.

SICK—Senator Allen and Manistre—2.

The emergency clause was passed by the following vote:

AYES—Senators Bradley, Bryant, Bland, Cabell, Caldwell, Cottey, DeArmond, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McMahan, Mabrey, Mackay, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse and Stephens—27.

ABSENT—Senators Dobyys, Dungan, McGrath and Walker—4.

ABSENT ON LEAVE—Senator Byrns.

SICK—Senators Allen and Manistre—2.

The title of the bill was read and agreed to.

Senator Cottey moved to reconsider the vote by which the bill

passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred House bill No. 719, entitled "An act to provide for the disposition of money which may be paid into the State Treasury in satisfaction of bonds issued by the State to any company or corporation and to appropriate said money," beg leave report that they have considered the same, and recommend that it do pass with the accompanying amendment.

The bill so reported, being House bill No. 719, was taken up, and the following amendment, reported by the committee, was read twice and adopted :

Amend House bill No. 719, by striking out all after the enacting clause, and inserting the following :

Section 1. Whenever there is any money in the State Treasury not necessary to defray the current expenses of the State government and to meet the appropriations made by law, it shall be the duty of the State Auditor, and he is hereby authorized and required, to transfer the same to the credit of the State sinking fund, for the purpose of paying the State debt or any portion thereof, and the interest thereon as it becomes due.

Section 2. Whenever there is sufficient money in the sinking fund to redeem or purchase one or more of the bonds of the State of Missouri, such sum is hereby appropriated for such purpose, and the fund commissioners shall immediately call in for payment a like amount of the option bonds of the State, known as "five twenty bonds;" *Provided*, that if there are no option bonds which can be called in for payment, they may invest such money in the purchase of any of the bonds of the State, the Hannibal and St. Joseph Railroad bonds excepted.

On motion of Senator Bradley, the Senate adjourned until two o'clock p. m.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

The Senate resumed the consideration of House bill No. 719, and on motion of Senator Heaston, further consideration was passed over informally.

Substitute for House bill Mo. 90, entitled "An act to amend section 1631 of article 8 of chapter 24, of the Revised Statutes of Missouri, concerning 'Crimes and criminal procedure,'" was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Bland, Caldwell, DeArmond, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Jacobs, Lloyd, McMahan, Mabrey, Mackay, Manring, Morrison, Pehle, Perkins, Rouse and Stephens—22.

ABSENT—Senators Cabell, Cottey, Dobyns, Dungan, Heaston, McGrath, Naylor, Rogers and Walker—9.

ABSENT WITH LEAVE—Senator Byrns.

SICK—Senators Allen and Manistre—2.

The title of the bill was read and agreed to.

Senator Edwards of St. Charles moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

House bill No. 677, entitled "An act amend sections 6948 and 6953, chapter 147 of the Revised Statutes of the State of Missouri, entitled roads and highways," was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bland, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Hutt, Jacobs, McMahan, Mabrey, Mackay, Manistre, Manring, Morrison, Naylor, Perkins, Stephens and Walker—18.

NOES—Senators Caldwell, Cottey, DeArmond, Dungan, Headlee, Heaston, Lloyd, Pehle and Rouse—9.

ABSENT—Senators Bryant, Cabell, Dobyns and Rogers—4.

ABSENT ON LEAVE—Senator Byrns.

SICK—Senator Allen.

Title read and agreed to.

Senator Perkins moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Substitute for House bills Nos. 279 and 330, entitled "An act to amend section 7514, article 11 chapter 162 of the Revised Statutes of the State of Missouri, relating to roads and highways under township organization," was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Bland, Caldwell, Dungan, Edwards of Lafayette, Edwards of St. Charles, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McMahan, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rouse, Stephens and Walker—24.

NOES—Senators Cottey, DeArmond and Rogers—3.

ABSENT—Senators Cabell, Dobyns, Gottschalk, McGrath, and Mabrey—5.

ABSENT ON LEAVE—Senator Byrns.

SICK—Senator Allen.

Title read and agreed to.

Senator Jacobs moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; which latter motion prevailed.

House bill No. 286, entitled "An act to amend section seven thousand four hundred and ninety-five (7495), article eleven (11), chapter one hundred and sixty-two (162), Revised Statutes of Missouri, entitled 'Of township organization,' relating to roads and highways," was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Bland, Cabell, Caldwell, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston Hutt, Jacobs, Lloyd, McMahan Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—29.

NO—Senator Cottey.

ABSENT—Senators Dobyns and McGrath—2.

ABSENT ON LEAVE—Senator Byrns.

SICK—Senator Allen.

Title read and agreed to.

Senator Perkins moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

House bill No. 494, entitled "An act to amend section seven thousand and forty-four (7044), article one (1), chapter one hundred and fifty (150), Revised Statutes of Missouri, in relation to the use of school houses," was taken up, read third time and passed by the following vote:

AYES—Senators Bryant, Bland, Cabell, Caldwell, Cottey, DeArmond, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heaston, Jacobs, McGrath, McMahan, Mabrey, Manistre, Manring, Morrisson, Naylor, Perkins, Rogers, Rouse, Stephens and Walker—24.

NOES—Senators Dungan, Hutt, Heard and Pehle—4.

ABSENT—Senators Bradley, Dobyns, Lloyd and Mackay—4.

ABSENT ON LEAVE—Senator Byrns.

SICK—Senator Allen.

Title read and agreed to.

Senator Byrns moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

House bill No. 523, entitled "An act to amend section one thousand one hundred and eighty (1180), article five (5), chapter twenty-three (23) of the Revised Statutes of Missouri, 'Of courts of record,'" was taken up, read third time and passed by the following vote :

AYES—Senators Bradley, Bryant, Bland, Cabell, Caldwell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Lloyd, McGrath, McMahan, Mabrey, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—28.

ABSENT—Senators Dobyns, Heaston, Jacobs and Mackay—4.

ABSENT ON LEAVE—Senator Byrns.

SICK—Senator Allen.

The title read and agreed to,

Senator DeArmond moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

The following message was received from the House of Representatives through Mr. Purdom, one of the clerks :

MR. PRESIDENT : I am instructed by the House to inform the Senate that the House has taken up and passed,

Senate bill No. 204, entitled "An act to exempt the husband from the payment of debts of the wife contracted before marriage:"

Also, Senate bill No. 157, entitled "An act to amend section 5824, chapter 116 of the Revised Statutes of the State of Missouri, relating to insane persons :"

And that there has been introduced into and passed the House, Substitute for House joint and concurrent resolution No. 49, entitled "Joint and concurrent resolution, relating to duty on salt."

In which the concurrence of the Senate is respectfully requested.

House bill No. 459, entitled "An act entitled an act to regulate the sale of medicines and poisons by druggists and pharmacists," was taken up, and, Senator Heard offered the following amendment, which was adopted :

Amend section 6, line 6, by striking out the word "five," and inserting in lieu thereof the word "three."

The bill was then read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Bland, Cabell, Caldwell, De Armond, Dungan, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Lloyd, McMahan, Mackay, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse and Walker—24.

NOES—Senators Cottey, McGrath, Mabrey, Manistre and Stephens—5.

ABSENT—Senators Dobyns, Edwards of Lafayette and Jacobs—3.

ABSENT ON LEAVE—Senator Byrns.

SICK—Senator Allen.

The title of the bill was read and agreed to.

Senator Rouse moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Substitute for House joint and concurrent resolution No. 29, entitled "Joint and concurrent resolution, extending to the people of Ireland the sympathy of the people of Missouri," was taken up, read third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Bland, Cabell, Caldwell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rouse and Walker—29.

NOES—Senators Rogers and Stephens—2.

ABSENT—Senator Dobyns.

ABSENT ON LEAVE—Senators Byrns.

SICK—Senator Allen.

The title of the bill was read and agreed to.

Senator Cottey moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

On first reading of House bills,

Substitute for House joint and concurrent resolution No. 49, entitled "Joint and concurrent resolution, relating to duty on salt," was taken up, read first time.

Substitute for House bills Nos. 176 and 234, entitled "An act to repeal sections 5426, 5427, 5428, 5429, 5430, 5431, 5432 and 5433, chapter

97, Revised Statutes of Missouri, 'Of dogs,' " was taken up, read first time.

House bill No. 253, entitled "An act amending article 1 of chapter 117, entitled 'Inspection of petroleum,'" was taken up, read first time.

House bill No. 256, entitled "An act to amend section 1348 of article 3 of the Revised Statutes of Missouri, entitled 'Offenses against public and private property,'" was taken up, read first time.

Substitute for House bill No. 366, entitled "An act to regulate the inspection of tobacco and to appoint tobacco inspectors," was taken up, read first time.

House bill No. 395, entitled "An act to amend section two thousand seven hundred and forty-three (2743), chapter 42 of the Revised Statutes of Missouri, 'Of judgments,'" was taken up, read first time.

House bill No. 409, entitled "An act to repeal chapter 70 of Revised Statutes of Missouri, entitled 'Of the right of way in certain cases,'" was taken up, read first time.

Substitute for House bill No. 479, entitled "An act to prevent railroad companies from pooling or dividing their earnings, and provide a punishment therefor," was taken up, read first time.

House bill No. 683, entitled "An act to more fully protect miners in weights, and punish persons who weigh minerals for not giving correct statement of weights," was taken up and read first time.

House bill No. 641, entitled "An act to amend chapter 147 of the Revised Statutes of Missouri, concerning roads and highways, by adding two new sections thereto, providing for a right of way over lands to railroads," was taken up and read first time.

House bill No. 708, entitled "An act to amend section 1829, article 16, chapter 24, Revised Statutes, 'Of crimes and criminal procedure,'" was taken up and read first time.

House bill No. 714, entitled "An act prescribing how grand juries shall be selected in cities having over three hundred thousand inhabitants," was taken up and read first time.

Substitute for House bill No. 715, entitled "An act to repeal section 834 of article 3, chapter 21, Revised Statutes of Missouri of 1879, and to insert a new section in lieu thereof," was taken up and read first time.

House bill No. 728, entitled "An act to define and construe the fourth paragraph of section 3489 of article four (4) of chapter fifty-nine (59) of the Revised Statutes, entitled 'Of the manner of com-

menacing suits and the service of notices, of practice in civil cases,' was taken up and read first time.

On second reading of House bills,

House bill No. 544, entitled "An act to amend section 4175, chapter 78, article — of the Revised Statutes of the State of Missouri, relating to auctioneers," was read second time and referred to Committee on Criminal Jurisprudence.

House bill No. 693, entitled "An act to repeal section 2614, chapter 37 of the Revised Statutes of Missouri, in relation to guardians and curators, and enacting a new section in lieu thereof," was read second time and referred to Committee on Judiciary.

Senator Mackay called up House bill No. 439, entitled "An act to amend section six thousand nine hundred and eighty-eight (6988) of chapter one hundred and forty-eight (148) of the Revised Statutes of Missouri, 'Of salaries,'" and Senator Cottey offered the following amendment, which was read twice and adopted:

Amend House bill No. 439 by adding the following new sections:

Section 2. That section 6989 of chapter 148 of the Revised Statutes of Missouri be amended by adding after the words "per annum," where they occur in the 4th line of the section the following words: "Except the chief clerk in the State Auditor's office, who shall be paid the sum of two thousand dollars (\$2,000.00) per annum," so that said section, when amended, will read as follows:

Section 6989. *Salaries of clerks of State officers.*—The chief clerks in the offices of the several State officers, and the book-keepers in the offices of the State Auditor and State Treasurer shall each receive a salary not exceeding fifteen hundred dollars per annum, except the chief clerk in the State Auditor's office, who shall be paid the sum of two thousand dollars (\$2,000.00) per annum, and all other clerks allowed said State officers by law, shall each receive a salary not exceeding one thousand dollars per annum, for the time they were actually employed; but no such clerk or book-keeper shall receive any greater amount than is allowed by law as a salary for one clerk or book-keeper; and in every case the warrants for such salary shall be drawn in favor of the person performing the services.

Section 3. There is hereby appropriated out of the revenue fund the additional sum of two thousand dollars (\$2,000.00) for the payment of the salary of the chief clerk in the State Auditor's office, and the

salary of Governor's private secretary, not otherwise provided for in the general appropriation bill.

The bill was then read third time and passed by the following vote :

AYES—Senators Bryant, Cabell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Headlee, Heard, Hutt, Jacobs, McGrath, McMahan, Mackay, Manistre, Morrisson, Naylor, Rogers, Stephens and Walker—20.

NOES—Senators Bland, Caldwell, Gottschalk, Heaston, Lloyd, Mabrey, Manring, Pehle and Perkins—9.

ABSENT—Senators Bradley, Dobyys and Rouse—3.

ABSENT ON LEAVE—Senator Byrns.

SICK—Senator Allen.

Title read and Senator Cottey offered the following amendment to the title, which was agreed to :

Amend by striking out the present title and insert the following :
"An act to amend sections six thousand nine hundred and eighty-eight (6988) and six thousand nine hundred and eighty-nine (6989) of chapter one hundred and forty-eight (148) of the Revised Statutes of Missouri, and adding a new section thereto to be numbered 6990a, entitled 'Of salaries.'"

Title, as amended, read and agreed to.

Senator Heard moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table ; the latter motion prevailed.

Senator Edwards of St. Charles submitted the following reports from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 112, entitled "An act to appropriate money for the completion of the Normal School building of the second district at Warrensburg," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senate bill No. 112, entitled "An act to appropriate money for the completion of the Normal School building of the second district at Warrensburg," was taken up, read third time and passed by the following vote :

AYES—Senators Bryant, Bland, Cabell, Caldwell, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—27.

NOES—Senators Cottey and Headlee—2.

ABSENT—Senators Bradley, Dobyns and Manistre—3.

ABSENT ON LEAVE—Senator Byrns.

SICK—Senator Allen.

The title of the bill was read and agreed to.

Senator Edwards of St. Charles moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the later motion prevailed.

Senate bill No. 206 was taken up and the Senate refused to order the same read third time.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred substitute for House bill No. 224, entitled "An act to amend section two thousand one hundred and twenty-four (2124), of chapter twenty-five (25), Revised Statutes of Missouri, 'Of damages,'" beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment.

Substitute for House bill No. 224 being so reported, was taken up and the following amendment, reported by the committee, was read :

Amend by striking out all after the enacting clause, and inserting in lieu thereof the following :

Section 1. Section 2124 of the Revised Statutes is hereby amended by striking out the words: "or in the crossing of any public highway," in the eight and ninth lines of said section, so that said section as amended shall read as follows :

"Section 2124. When any animal or animals shall be killed or injured by the cars, locomotives or other carriages used on any railroad in this State, the owner of such animal or animals may recover the value thereof in an action against the company or corporation running such railroad, without any proof of negligence, unskillfulness or misconduct on the part of the officers, servants or agents of such company; but this section shall not apply to any accident occurring on any portion of such road that may be inclosed by a lawful fence."

The bill and amendment were laid over informally.

Senators Caldwell, Heaston and Manring were granted leave of absence for the remainder of the session after to-morrow noon.

Senate bill No. 139, entitled "An act to provide for the medical treatment of insane criminals, and to appropriate money therefor," was taken up and the following House amendment read :

Amend section 2 by striking out the words "State lunatic asylum at Fulton," and insert in lieu thereof the words: "State penitentiary at Jefferson City,"

The same having been printed for the use of the Senate, was read and the Senate refused to concur by the following vote:

AYES—Senators DeArmond, Heaston, McMahan and Manring—4.

NOES—Senators Bryant, Bland, Caldwell, Cottey, Dungan, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Lloyd, McGrath, Mabrey, Mackay, Manistre, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—23.

ABSENT—Senators Cabell, Dobyns, Edwards of Lafayette, Jacobs and Bradley—5.

ABSENT ON LEAVE—Senators Byrns.

SICK—Senator Allen.

Senator Edwards of St. Charles moved to reconsider the vote by which the bill failed to pass, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read:

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred House bill No. 204, entitled "An act for the relief of the people of the county of Webster by appropriating money to repair the damage done to the public buildings in said county by the cyclone of April 18th, 1880," beg leave to report that they have considered the same, and a majority of your committee recommend that it do not pass.

House bill No. 204 was taken up, and Senator Jacobs moved that the bill be ordered to third reading, and moved the previous question.

The ayes and noes being demanded, the previous question was ordered by the following vote:

AYES—Senators Bradley, Bryant, Bland, Cabell, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Hutt, Jacobs, Lloyd, McMahan, Mabrey, Mackay, Naylor, Perkins, Rogers and Stephens—18.

NOES—Senators Cottey, Dungan, Heard, Heaston, McGrath, Manistre, Morrisson, Pehle and Rouse—9.

ABSENT—Senators Caldwell, DeArmond, Dobyns, Manring and Walker—5.

ABSENT ON LEAVE—Senator Byrns.

SICK—Senators Allen.

The bill was then read a third time and passed by the following vote :

AYES—Senators Bradley, Bryant, Bland, Cabell, DeArmond, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Naylor, Perkins, Rogers and Stephens—21.

NOES—Senators Cottey, Dungan, Heaston, Manistre, Morriison, Pehle and Rouse—7.

ABSENT—Senators Caldwell, Dobyns, Manring and Walker—4.

ABSENT ON LEAVE—Senator Byrns.

SICK—Senator Allen.

The title of the bill was read and agreed to.

Senator Cottey moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Bradley submitted the following report from the Committee on Enrolled Bills, which was read :

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 149, entitled "An act to amend section five thousand four hundred and sixty-seven (5467), chapter ninety-eight (98), Revised Statutes of Missouri, 'Of dramshops.'"

The President announced that all other business would be suspended and directed the Secretary to read at length Senate bill No. 149, entitled "An act to amend section five thousand four hundred and sixty-seven (5467), chapter ninety-eight (98), of the Revised Statutes of Missouri, entitled 'Of dramshops,' " and that unless objection be made, he would sign the same to the end that it may become a law.

No objection being made, said bill was read at length by the Secretary, and the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto.

Said bill was immediately sent to the House of Representatives for the signature of the Speaker, and having been signed by the President of the Senate and Speaker of the House, was this day by the Secretary presented to the Governor for his approval.

Senator Bradley submitted the following report from the Committee on Enrolled Bills, which was read :

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 186, entitled "An act concerning the transportation of nitro-glycerine and other combustible and explosive articles."

The President announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No. 186, entitled "An act concerning the transportation of nitro-glycerine and other combustible and explosive articles," and stated that, unless objection be made, he would sign said bill, to the end that it may become a law.

No objections being made, the bill was read at length by the Secretary, and the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto.

Said bill was immediately sent to the House of Representatives for the signature of the Speaker.

Said bill having been signed by the President and Secretary of the Senate, and Speaker of the House of Representatives, was immediately presented by the Secretary to the Governor for his approval.

Senator Bradley submitted the following report from the Committee on Enrolled Bills, which was read :

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 231, entitled "An act for the relief of George W. Arnold and George W. Fricke, and to appropriate money therefor."

The President announced that all other business would be suspended, and directed Senate bill No. 231, entitled "An act for the relief of George W. Arnold and George W. Fricke, and to appropriate money therefor," to be read at length.

The bill was so read, and, no objections being made, the presiding officer, in the presence of the Senate, in open session, signed said bill, no other business being entertained. The bill was immediately sent to the House of Representatives for the signature of the Speaker, and sent to the Governor for his approval, by the Secretary.

The following message was received from the House of Representatives, through Mr. Purdom, one of the clerks of the House:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up House bill No. 161, entitled "An act in relation to marriage and marriage license," and concurred in the following Senate amendments thereto:

No. 1. Amend section 2 by striking out the word "authorized," in line 7 of said section of engrossed bill, and inserting in lieu thereof the word "authorizes."

No. 2. Amend section 3, line 8, by inserting between the words "shall" and in," the word "state."

Also, House bill No. 405, entitled "An act to amend section 1549, article 8, Revised Statutes of Missouri, concerning offenses against public morals and decency, or the public police and miscellaneous offenses," and concurred in the following Senate amendment thereto:

Amend by adding to the end of section 1549, "or by fine not exceeding five hundred dollars or less than fifty dollars."

Also, taken up, amended and passed Senate bill No. 167, entitled "An act concerning the liability of cities, towns and persons for damages to persons or property caused by riots."

Also, taken up House bill No. 595, entitled "An act apportioning the State of Missouri into representative and senatorial districts," and refused to concur in Senate amendments thereto, and request a conference committee, and Messrs. Ewing, Major and Priest appointed on behalf of the House.

In which the concurrence of the Senate is respectfully requested.

Senator Morrisson called up House bill No. 719, entitled "An act to provide for the disposition of money which may be paid into the State Treasury in satisfaction of bonds issued by the State to any company or corporation, and to appropriate said money," was read the third time and passed by the following vote:

AYES—Senators Bradley, Bryant, Bland, Cabell, Caldwell, Cottey, DeArmond, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Manning, Morrisson, Naylor, Rouse, Stephens and Walker—23.

NOES—Senators Dungan, Manistre, Pehle and Rogers—4.

ABSENT—Senators Dobyns, Headlee, Jacobs, McGrath and Perkins—5.

ABSENT ON LEAVE—Senator Byrns.

SICK—Senator Allen.

The title was read, and Senator Cottey offered the following amendment to the title:

Amend the title by striking out the present title and inserting the following in lieu thereof: "An act to provide for the transfer to the State Sinking Fund any surplus money that may be in the State Treasury not necessary to defray the current expenses of the State government and to meet the appropriations made by law; and to authorize the Fund Commissioners to invest the same in the redemption or purchase of the bonds of the State, Hannibal and St. Joseph railroad bonds excepted."

The title of the bill, as amended, was read and agreed to.

Senator Cottey moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

The President appointed Senators DeArmond, Edwards of St. Charles and Heaston as a committee of conference to confer with Messrs. Ewing, Major and Priest of the House on House bill No. 595.

The President announced that all other business would be suspended, and directed House bill No. 405, entitled "An act to amend section 1549, article 8, chapter 24, Revised Statutes of Missouri, concerning offenses against public morals and decency, or the public police and miscellaneous offenses," to be read at length.

The bill was so read, and no objections being made, the presiding officer, in the presence of the Senate, in open session, signed said bill, no other business being entertained.

Senator Heaston offered the following resolution, which was adopted:

Resolved, That the Secretary of State be and is hereby instructed to receive from the Public Printer the printed copies of the report of the Warden of the Penitentiary, the Immigration Report and all other reports and documents ordered printed by the General Assembly and not now delivered; and he is instructed in distributing the laws and journals to send therewith, directed to the members of the Senate, the number of copies of all such documents to which they are respectively entitled.

The following message was received from the Governor through his Private Secretary, Mr. Farr, which was read:

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON }
March 24, 1881. }

HON. ROBERT A. CAMPBELL, *President of the Senate*:

SIR: I return to the Senate, with my approval indorsed thereon, bills of the following titles:

"An act to appropriate money to pay costs in criminal cases to Hazelton J. Skinner, clerk of circuit court of Harrison county."

"An act to amend section 5467, chapter 98, Revised Statutes of Missouri, "Of dramshps."

"An act for the relief of George W. Arnold and George W. Fricke, and to appropriate money therefor."

An act concerning the transportation of nitro-glycerine and other combustibile and explosive articles."

Very respectfully,

THOS. T. CRITTENDEN.

Senator Bradley submitted the following report from the Committee on Enrolled Bills, which was read:

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully

examined and find truly enrolled Senate bill No. 177, entitled "An act for the relief of Charles G. Comstock and to appropriate money therefor."

The President announced that all other business would be suspended, and directed Senate bill No. 177, entitled "An act for the relief of Charles G. Comstock, and to appropriate money therefor," to be read at length.

Said bill was read at length by the Secretary, and no objection being made, the presiding officer, in the presence of the Senate, in open session, no other business intervening, signed said bill. The bill was immediately sent to the House of Representatives for the signature of the Speaker, and then presented by the Secretary to the Governor for his approval.

Senator Oabell submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary to whom was referred House bill No. 173, entitled "An act to provide for the payment of wages of labor in the lawful money of the United States," beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment.

House bill No. 173, entitled "An act to provide for the payment of wages of labor in the lawful money of the United States," was taken up and the following amendment reported by the committee was adopted :

Amend by striking out all after the enacting clause, and inserting in lieu thereof the following :

SECTION 1. It shall not be lawful for any corporation, person or firm engaged in manufacturing or mining in this State to issue, pay out or circulate for payment of the wages of labor any order, check, memorandum, token or evidence of indebtedness, payable in whole or in part, otherwise than in lawful money of the United States, unless the same is negotiable and redeemable at its face value without discount, in cash or in goods, wares, merchandise or supplies at the option of the holder at the store or other place of business of such firm, person or corporation on whom such paper may be drawn where goods, wares or merchandise are kept for sale, sold or exchanged, and the person who, or corporation, firm or company which may issue any such order, check, memorandum, token or other evidence of indebtedness, shall, upon presentation and demand at any time after the maturity thereof, redeem the same in goods, wares, merchandise or supplies at the current cash market prices for like goods, wares, merchandise or supplies, or in lawful money of the United States, as may be demanded by the

holder of any such check, order, memorandum, token or other evidence of indebtedness.

SEC. 2. Any officer or agent of any corporation, or any person, firm or company engaged in the business of manufacturing or mining in this State, who, by themselves or agent, shall issue or circulate in payment for wages of labor any order, check, memorandum, token or other evidence of indebtedness, payable in whole or in part, otherwise than in legal money of the United States, without being negotiable and payable at the option of the holder, in goods, wares, merchandise, supplies or lawful money of the United States, as required by the first section of this act, or who shall fail to redeem the same when presented for payment at or after the maturity thereof at his or their office or place of business, in lawful money of the United States, or who shall compel or attempt to coerce any employee of any such corporation, person, firm or company to purchase goods, wares, merchandise or supplies from any particular person, firm or corporation, shall be guilty of a misdemeanor, and, on conviction thereof, shall be fined not less than ten nor more than five hundred dollars for each and every such offence.

SEC. 3. All fines which may be collected under the provisions of this act shall be paid into the county treasury of the county in which the prosecution shall be instituted, for the benefit of the public school fund of such county.

The bill was then read third time and passed by the following vote :

AYES—Senators Bradley, Bryant, Bland, Cabell, Caldwell, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Pehle, Rogers, Stephens and Walker—24.

NOES—Senators Heaston and Hutt—2.

ABSENT—Senators Cottey, Dobyns, Morrison, Naylor, Perkins and Rouse—6.

ABSENT ON LEAVE—Senator Byrns.

SICK—Senator Allen.

The title of the bill was read and agreed to.

Senator Gottschalk moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table ; the latter motion prevailed.

Senator Morrisson submitted the following report from the Committee on Education, which was read :

MR. PRESIDENT: Your Committee on Education, to whom was referred House bill No. 342, entitled "An act to amend sections 7049 and 7067 of the Revised Statutes of Missouri of 1879, relating to the

laws and manner of making and returning school enumerations," beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported, being House bill No. 342, entitled "An act to amend section 7049 of the Revised Statutes of Missouri of 1879, relating to school enumerations," was taken up, read third time and passed by the following vote :

AYES—Senators Bradley, Bryant, Bland, Caldwell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackey, Manistre, Manring, Morrisson, Pehle, Rogers, Rouse, Stephens and Walker—27.

NO—Senator Headlee.

ABSENT—Senator Cabell, Dobyns, Naylor and Perkins—4.

ABSENT ON LEAVE—Senator Byrns.

SICK—Senator Allen.

The title of the bill was read, and Senator Morrisson offered the following amendment :

Amend title by striking out the title and inserting the following in lieu thereof: "An act to amend article 1 of chapter 150 of the Revised Statutes, entitled 'Of schools,' by striking out section 7049, and substituting a new section in lieu thereof to be numbered section 7049."

The title, as amended, was read and agreed to.

Senator Morrisson moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator DeArmond offered the following resolution, which was adopted :

Resolved, That the Committee on Ways and Means be and they are hereby instructed to forthwith return to the Senate for its further consideration, House bill No. 566, entitled "An act in relation to the taxation of business avocations by municipal corporations."

Senator Mackay moved that when the Senate adjourn it adjourn until 9 o'clock to-morrow morning, which was agreed to.

On motion of Senator Rogers, the Senate adjourned.

SIXTY-SIXTH DAY—FRIDAY, March 25.

MORNING SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday read and approved.

The following message was received from the House of Representatives through Mr. Purdom, one of the clerks:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed Senate bill No. 160, entitled "An act to amend section 3311, chapter 52 of the Revised Statutes of the State of Missouri, entitled 'Of mortgages and deeds of trust:'"

Also, taken up substitute for House bills Nos. 311 and 440, entitled "An act to amend section 6785 of article 4 of chapter 145, of the Revised Statutes of the State of Missouri of 1879, entitled 'Settlements of collectors," and concurred in Senate amendments thereto as follows:

Amendment No. 1. Amend by striking out after the word "follows," in line 2, printed bill, the following words: Amend subdivision one by striking out the word "five," in the third line, and inserting the word "ten" in the place thereof.

Amend subdivision two of said section by striking out the word "five," in second line, and inserting the word "ten" in the place thereof and by striking out the word "ten," in the third line, and inserting the word "twenty" in the place thereof.

Amend subdivision 3 of said section by striking out the word "ten," in the second line, and inserting the word "twenty" in place thereof, and by striking out the word "fifteen," in the third line and inserting the word "thirty" in lieu thereof, and by striking out the word "seven" and inserting the word "six" in lieu thereof.

Amend subdivision 4 of said section by striking out the word "fifteen," in second line, and inserting the word "thirty" in the place thereof, and by striking out the word "twenty-five," in the third line, and inserting the word "fifty" in lieu thereof, and by striking out the word "six," in the third line, and inserting the word "five" in lieu thereof.

Amend subdivision 5 by striking out the words "twenty-five," in the second line, and inserting in lieu thereof the word "forty," and by

striking out the word "forty," in the third line, and inserting the word "sixty," and further by striking out the word "five," in the third line, and inserting in lieu thereof the word "four."

Amend subdivision 6 by striking out of the second line the word "forty," and inserting in the place thereof the word "sixty," and by striking out of the third line the word "sixty," and inserting the word "eighty" in lieu thereof, and further by striking out of the third line the word "four," and inserting in lieu thereof the word "three."

Amend subdivision 7 by striking out of the second line the word "sixty," and inserting in lieu thereof the word "eighty," and by striking out of the third line the word "eighty," and inserting in lieu thereof the words "one hundred," and further by striking from the third line the word "three," and inserting the words "two and one-half" in lieu thereof.

Amend subdivision 8 by striking out of the second line the word "eighty," and substituting in lieu thereof the words "one hundred," and by striking out of the third line the word "twenty," and inserting in lieu thereof the word "thirty," and by striking out of the fourth line the word "half," and inserting the word "fourth" in lieu thereof.

Amend subdivision 9 by striking out the word "twenty," in the second line, and inserting in lieu thereof the word "thirty," and by striking out of the third line the word "fifty," and inserting the word "ninety" in lieu thereof.

Amend subdivision 10 by striking out of the second line the word "fifty," and inserting in lieu thereof the word "ninety," and by striking out of the fourth line the word "one-half," and inserting in lieu thereof the words "three-fourths," and insert in lieu thereof the following :

Amend subdivision 10 by striking out of the fourth line of said subdivision the words "one and one-half per cent.," and by inserting in lieu thereof the words "one and three-fourths per cent."

Amendment 2. Amend by inserting after the words "five hundred," in line 64, printed bill, these words: "Amend subdivision thirteen" by adding after the word "comptroller" the following: "*Provided, however,* that this act shall not apply to any county adopt- ing township organization."

Amendment 3. Amend by striking out after the word "more," in the 69th line, printed bill, the following words:

I. In each county in this State wherein the State, county, bridge, road, school, and all other local taxes, including merchants' and dram-shop licenses assessed and levied for any one year, amounts to ten thousand dollars or less, a commission of ten per cent. on the amount collected.

II. In all counties wherein the total amount of all such taxes and licenses levied for any one year is over ten thousand dollars and less than twenty thousand dollars, a commission of eight per cent. on the amount collected.

III. In all counties wherein the total amount of all such taxes and licenses levied for any one year is more than twenty thousand dollars and less than thirty thousand dollars, a commission of six per cent. on the amount collected.

IV. In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds thirty thousand dollars and less than forty thousand dollars, a commission of five per cent. on the amount collected.

V. In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds forty thousand dollars and is less than sixty thousand dollars, a commission of four per cent. on the amount collected.

VI. In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds sixty thousand dollars and is less than eighty thousand dollars, a commission of three per cent. on the amount collected.

VII. In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds eighty thousand dollars and is less than one hundred thousand dollars, a commission of two and one-half per cent. on the amount collected.

VIII. In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds one hundred thousand dollars and is less than one hundred and thirty thousand dollars, a commission of two and one-fourth per cent. on the amount collected.

IX. In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds one hundred and thirty thousand dollars and is less than one hundred and ninety thousand dollars, a commission of two per cent. on the amount collected.

X. In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds one hundred and ninety thousand dollars and is less than two hundred and fifty thousand dollars, a commission of one and three-fourths per cent. on the amount collected, and insert in lieu thereof the following:

First—In each county in this State wherein the whole State, county, bridge, road, school, and all other local taxes, including merchants' and dramshop licenses assessed and levied for any one year, amounts to five thousand dollars or less, a commission of ten per cent. on the amount collected.

Second—In all counties wherein the total amount of all such taxes and licenses levied for any one year is over five thousand dollars and less than ten thousand dollars, a commission of eight per cent. on the amount collected.

Third—In all counties wherein the amount of all such taxes and licenses levied for any one year is more than ten thousand dollars and less than fifteen thousand dollars, a commission of seven per cent. on the amount collected.

Fourth—In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds fifteen thousand dollars and is less than twenty-five thousand dollars, a commission of six per cent. on the amount collected.

Fifth—In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds twenty-five thousand dollars and is less than forty thousand dollars, a commission of five per cent. on the amount collected.

Sixth—In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds forty thousand dollars and is less than sixty thousand dollars, a commission of four per cent. on the amount collected.

Seventh—In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds sixty thousand dollars and is less than eighty thousand dollars, a commission of three per cent. on the amount collected.

Eighth—In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds eighty thousand dollars and is less than one hundred and twenty thousand dollars, a commission of two and one-half per cent. on the amount collected.

Ninth—In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds one hundred and twenty thousand dollars and is less than one hundred and fifty thousand dollars, a commission of two per cent. on the amount collected.

Tenth—In all counties wherein the total amount of all such taxes and licenses levied for any one year exceeds one hundred and fifty thousand dollars and is less than two hundred and fifty thousand dollars, a commission of one and three-fourths per cent. on the amount collected.

Amendment No. 4. Amend section (1) subdivision twelve, lines 122 and 123, printed bill, by inserting after the words "five hundred thousand," the word "dollars."

Amendment No. 5. Amend section (1) subdivision thirteen, line 196, printed bill, by striking out the word "county" and inserting in lieu thereof the word "court."

Also, taken up House bill No. 459, entitled "An act entitled an act to regulate the sale of medicines and poisons by druggists and pharmacists, and refused to concur in the following Senate amendments thereto:

Amendment No. 1—Amend section 7, line 1, by inserting after the word "pharmacist" the words "apothecary or owner of any drug store."

Amendment No. 2—Amend bill by striking out section 10.

Amendment No. 3—Amend by renumbering section 11 as section 10; section 12 as section 11; section 13 as section 12, and section 14 as section 13.

And concurred in the following Senate amendment thereto, as follows:

Amend section 6, line 6, by striking out the word "five" and inserting in lieu thereof the word "three."

And also requested a Committee of Conference to adjust the differences between the two Houses, and have appointed on behalf of the House Messrs. Harrington, Anthony of Nodaway and Sears members of said committee:

Also, taken up, amended and passed Senate bill No. 41, entitled "An act to appropriate money for the support of the State government for the years 1881 and 1882," in which the concurrence of the Senate is respectfully requested.

Senator Bradley submitted the following reports from the Committee on Enrolled Bills, which were read:

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 204, entitled "An act to exempt the husband from the payment of debts of the wife contracted before marriage:—"

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 157, entitled "An act to amend section 5824, chapter 116 of the Revised Statutes of the State of Missouri, relating to insane persons."

The president announced that all other business would be suspended and directed the secretary to read at length Senate bill No. 157, entitled "An act to amend section 5824, chapter 116 of the Revised Statutes of the State of Missouri, relating to insane persons."

The bill was read at length, and no objection being made the presiding officer, in the presence of the Senate in open session, and no other business intervening, affixed his signature to said bill. It was then taken to the House of Representatives, read at length and signed by the Speaker and immediately presented to the Governor by the secretary for his approval.

The president also directed the secretary to read at length Senate bill No. 204, entitled "An act to exempt the husband from the payment of debts of the wife contracted before marriage."

The bill was so read, and no objection being made, the bill was signed by the presiding officer in the presence of the Senate in open session, no other business intervening. The bill after being signed by the Speaker of the House of Representatives, was immediately, by the secretary, presented to the Governor for his approval.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred House bill No. 464, entitled "An act to amend section 6733, of the Revised Statutes of Missouri, relating to 'Collectors' bonds,'" beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported being House bill No. 464, entitled "An act to amend section 6733, Chapter 145, Revised Statutes of Missouri, entitled 'Collectors' bonds,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bryant, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—29.

ABSENT—Senators Bradley, Dungan, Lloyd and McGrath—4.

ABSENT ON LEAVE—Senator Byrns.

The emergency clause of said bill was passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Heaston, Hutt, Jacobs, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—29.

ABSENT—Senators Dungan, Headlee, Lloyd and McGrath—4.

ABSENT ON LEAVE—Senator Byrns.

The title of the bill was read and agreed to.

Senator Manring moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred House bill No. 393, entitled "An act to amend sections 3, 6 and 7 of an act entitled an act to authorize counties to hold elections for the purpose of incurring indebtedness above the amount of the income and revenue of any one year, and to provide for the issuing and sale of bonds to cover the indebtedness so created, approved March 19th, 1879," beg leave to report that they have considered the same and recommend that it do pass.

The bill so reported, being House bill No. 393, entitled "An act to amend an act entitled 'An act to authorize counties to hold elections for the purpose of incurring indebtedness above the amount of the income and revenue for any one year, and to provide for the issuing and sale of bonds to cover the indebtedness so created,' approved March 19th, 1879," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Edwards of St. Charles, Gottschalk, Heard, Jacobs, Lloyd, McMahon, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkins, Rogers, Stephens and Walker—25. . .

NO—Senator Hutt.

ABSENT—Senators Bryant, Dungan, Edwards of Lafayette, Headlee, Heaston, McGrath and Rouse—7.

ABSENT ON LEAVE—Senator Byrns.

The title of the bill was read and agreed to.

Senator Cottey moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

In compliance with the request of the House, the President appointed Senators Heard, Rouse and Headlee to confer with Messrs. Harrington, Anthony and Sears, on House bill No. 459, entitled "An act entitled an act to regulate the sale of medicines and poisons by druggists and pharmacists."

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read:

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred House bill No. 79, entitled "An act to provide for the giving of bonds by *ex officio* collectors of county revenue," beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported, being House bill No. 79, entitled "An act entitled an act to provide for the giving bond by *ex officio* collectors of

county revenue," was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Gottschalk, Heard, Heaston, Hutt, Jacobs, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrison, Pehle, Rogers, Rouse, Stephens and Walker—27.

ABSENT—Senators Bryant, Edwards of Lafayette, Headlee, Lloyd, Naylor and Perkins—6.

ABSENT ON LEAVE—Senator Byrns.

The emergency clause of said bill passed by the following vote :

AYES—Senators Allen, Bradley, Bland, Cabell, Caldwell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Manring, Morrisson, Naylor, Pehle, Perkin, Rogers, Rouse, Stephens and Walker—32.

ABSENT—Senator Bryant.

ABSENT ON LEAVE—Senator Byrns.

The title of the bill was read and agreed to.

Senator Cottey moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table ; the latter motion prevailed.

Senator Cottey, of Committee on Ways and Means, in conformity to the resolution offered yesterday by Senator DeArmond returned House bill No. 566, which was taken up and recommitted to a special committee of Senators from the city of St. Louis, consisting of Senators Manistre, Gottschalk, Cabell, McGrath, Naylor and Rogers.

The following message was received from the House of Representatives through Mr. Morton, one of the clerks :

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed Senate bill No. 73, entitled "An act to appropriate money for the redemption of Union military bonds, held for redemption by Donaldson & Fraley, of St. Louis, Missouri, Daniel Baldridge, of Sullivan county, J. C. Lindley, of Dade county, Abe S. Scott, of Boone county, and C. E. Ilgenfritz, of Pettis county, Missouri."

Senator Edwards of St. Charles submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 544, entitled "An act to amend section 4175, chapter 78 of the Revised Statutes of Missouri, relating

to auctioneers," beg leave to report that they have considered the same, and recommend that it do pass.

Senator Edwards of St. Charles submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 318, entitled "An act to amend section 1574, article 8, chapter 24 of the Revised Statutes, 'Of putting dead animals in wells, etc.," beg leave to report that they have considered the same and recommend that it do pass with the accompanying amendments.

House bill No 318, entitled "An act to amend section 1574, article 8, chapter 24 of the Revised Statutes, 'Of putting dead animals in wells, etc.," was taken up, and the following amendment, recommended by the committee, was read twice and adopted :

Amend by striking out all after the enacting clause and inserting in lieu thereof the following: Section 1. Section 1574 of the Revised Statutes is hereby amended by striking out the word "or," between "brook" and "branch," in the third line, and striking out "of which use is made for domestic purposes," between the words "branch" and "every," in the third and fourth lines, and inserting in lieu thereof "creek, pond or lake," and by striking out the words "upon premises not his own or," between the words "placed" and "in," in the sixth and seventh lines, and inserting the words "or near," in lieu thereof; and by striking out the word "a," between "in" and "public" in the seventh line, and inserting in lieu thereof the word "any," and by inserting between the words "road" and "any," in the seventh line, the words "or highway or any of the streams or water courses other than the Missouri and Mississippi rivers," so that said section, as amended, shall read as follows :

Section 1574. If any person or persons shall put any dead animal, carcass or part thereof, the offal or any other filth into any well, spring, branch, creek, pond or lake, every person so offending shall, on conviction thereof, be fined in any sum not less than ten nor more than one hundred dollars. If any person shall remove, or cause to be removed, and placed in or near any public road or highway, or in any of the streams or water courses other than the Missouri and Mississippi rivers, any dead animal, carcass or part thereof, or other nuisance, to the annoyance of the citizens of this State, or any of them, every person so offending shall, upon conviction thereof, be fined for every such offense any sum not less than ten dollars nor more than fifty dollars; and if such nuisance be not removed within

three days thereafter, it shall be deemed a second offense against the provisions of this section.

The bill was then read the third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Bland, Cabell, Cottey, DeArmond, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, Mabrey, Mackay, Manistre, Morisson, Naylor, Pehle, Perkins, Rouse, Stephens and Walker—26.

NOES—Senators Dobyns, McMahan and Rogers—3.

ABSENT—Senators Caldwell, Dungan, Edwards of Lafayette and Manring—4.

ABSENT ON LEAVE—Senator Byrns.

The title of the bill was agreed to.

Senator Edwards of St. Charles, moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

House bill No. 544, entitled "An act to amend section 4175, chapter 78, article — of the revised Statutes of the State of Missouri, relating to auctioneers," was taken up, and the following amendment, offered by the committee, read and adopted:

Amend section 1 by inserting after the words "sold by the owner," in line four, printed bill, the following, and inserting in lieu thereof the words, "sold at the residence of the owner."

The bill was read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bland, Cabell, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Morisson, Naylor, Pehle, Perkins, Rouse, Stephens and Walker—27.

ABSENT—Senators Bryant, Caldwell, Dungan, Edwards of St. Charles, Manring and Rogers—6.

ABSENT ON LEAVE—Senator Byrns.

The title of the bill was read and agreed to.

Senator Edwards of St. Charles moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Edwards of St. Charles, submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 548, entitled "An act to repeal sections 1603 and 1604 of article 8, chapter 24 of the Revised Statutes

of the State of Missouri, 1879, 'Of offenses against public morals and decency or the public police and miscellaneous offenses,' " beg leave to report that they have considered the same and recommend that it do pass.

House bill No. 548, entitled "An act to repeal sections 1603 and 1604 of article 8, chapter 24 of the Revised Statutes of the State of Missouri, 1879, 'Of offenses against public morals and decency, or the public police and miscellaneous offenses,' " was taken up, read third time and failed to pass by the following vote :

AYES—Senators Bradley, Bränt, Cabell, Cottey, Dungan, Edwards of St. Charles, Heard, Hutt, Jacobs, McGrath, McMahan, Morrisson, Naylor, Rouse and Walker—15.

NOES—Senators Allen, Bland, Dobyns, Gottschalk, Headlee, Heaston, Mabrey, Mackay, Manistre, Pehle, Perkins and Rogers—12.

ABSENT—Senators Caldwell, DeArmond, Edwards of Lafayette, Lloyd, Manring and Stephens—6.

ABSENT ON LEAVE—Senator Byrns.

Senator Edwards of St. Charles submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 645, entitled "An act to suppress the circulation and vending of obscene literature," beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendments.

House bill No. 645, was taken up, and the following amendments, offered by the committee, were read and adopted :

Amendment No. 1: Amend the first section by inserting the words "in county jail," after the words "one year," in the 13th line; read first and second times and adopted.

Amendment No. 2: Amend the second section by inserting the words "in the county jail," after the words "one year," in the 12th line; read first and second times and adopted.

Amendment No. 3: Strike out the fourth section; read first and second times and adopted.

Amendment No. 4: Amend the title of the act by adding thereto the following words : "and manufacture and sale of article for immoral uses."

The bill and amendments were laid over informally.

The following message was received from the House of Representatives through Mr. Purdom, one of the clerks :

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up, amended and passed, Senate bill No. 236 entitled "An act to amend section 7631, article 1, chapter 164 of the Revised Statutes of Missouri, entitled 'Treasury department,'"

In which the concurrence of the Senate is respectfully requested.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 220, entitled "An act for the relief and benefit of John N. Payne," to be read at length.

The bill was read at length by the Secretary; no objection being made, and the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto.

The President announced that all other business would be suspended and directed the Secretary to read at length House bill No. 474, entitled "An act to provide and regulate the registration of voters in cities of twenty-five thousand and less than one hundred thousand inhabitants," to be read at length.

The bill was read at length, no other business intervening, and no objection being made, the President, in the presence of the Senate, in open session signed said bill.

The President announced that all other business would be suspended, and directed House bill No. 597, entitled "An act to amend sections 797 and 817 of chapter 21, article 2 of the Revised Statutes of the State of Missouri, relating to corporations," to be read at length.

The bill was so read, and no other business intervening, and no objection being made, was signed by the President in the presence of the Senate in open session.

The President announced that all other business would be suspended, and directed House bill No. 725, entitled "An act concerning and regulating the time for holding elections for judges of probate courts," to be read at length.

The bill was so read, and no objections being made, the President, in the presence of the Senate, in open session, signed said bill, no other business being entertained.

On second reading of House bills,

Substitute for House joint and concurrent resolution No. 49, entitled "Joint and concurrent resolution relating to duty on salt," was read second time and referred to Committee on Federal Relations.

Substitute for House bills Nos. 176 and 234, entitled "An act to

repeal sections 5426, 5427, 5428, 5429, 5430, 5431, 5432 and 5433, chapter 97, Revised Statutes of Missouri, 'Of dogs,' " was read second time and referred to Committee on Agriculture.

House bill No. 253, entitled "An act amending article 1 of chapter 117, entitled 'Inspection of petroleum,'" was read second time and referred to Committee on Criminal Jurisprudence.

House bill No. 256, entitled "An act to amend section 1348 of article 3 of the Revised Statutes of Missouri, entitled 'Offenses against public and private property,'" was read second time and referred to Committee on Criminal Jurisprudence.

Substitute for House bill No. 366, entitled "An act to regulate the inspection of tobacco and to appoint tobacco inspectors," was read second time and referred to Committee on Agriculture.

House bill No. 395, entitled "An act to amend section two thousand seven hundred and forty-three (2743), chapter forty-two of the Revised Statutes of Missouri, 'Of judgments,'" was read second time and referred to Committee on Judiciary.

House bill No. 409, entitled "An act to repeal chapter 70 of Revised Statutes of Missouri, entitled 'Of the right of way in certain cases,'" was read second time and referred to Committee on Roads and Highways.

House bill No. 641, entitled "An act to amend chapter 147 of the Revised Statutes of Missouri, concerning roads and highways, by adding two new sections thereto, providing for a right of way over lands to railroads," was read second time and referred to Committee on Roads and Highways.

Substitute for House bill No. 479, entitled "An act to prevent railroad companies from pooling or dividing their earnings, and provide a punishment therefor," was read second time and referred to Committee on Internal Improvements.

House bill No. 683, entitled "An act to more fully protect miners in weights, and punish persons who weigh minerals for not giving correct statement of weights," was read second time and referred to Committee on Mines and Manufactures.

House bill No. 708, entitled "An act to amend section 1829, article 16, chapter 24, Revised Statutes, 'Of crimes and criminal procedure,'" was read second time and referred to Committee on Criminal Jurisprudence.

House bill No. 714, entitled "An act prescribing how grand juries shall be selected in cities having over three hundred thousand inhabi-

tants," was read second time and referred to Committee on Criminal Jurisprudence.

Substitute for House bill No. 715, entitled "An act to repeal section 834 of article 3, chapter 21, Revised Statutes of Missouri of 1879, and to insert a new section in lieu thereof," was read second time and referred to Committee on Internal Improvements.

House bill No. 728, entitled "An act to define and construe the fourth paragraph of section 3489 of article four (4) of chapter fifty-nine (59) of the Revised Statutes, entitled 'Of the manner of commencing suits and the service of notices of practice in civil cases,'" was read second time and referred to Committee on Judiciary.

Senator Heaston called up substitute for House bill No. 282, and moved that it be indefinitely postponed; which was agreed to.

The following message was received from the House of Representatives through Mr. Purdom, one of the clerks:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up, amended and passed, Senate bill No. 246, entitled "An act to relieve the Supreme Court from the necessity of preparing written opinions in certain cases,"

In which the concurrence of the Senate is respectfully requested.

Senator Morrisson called up House bill No. 548, and moved to reconsider the vote by which the bill failed to pass; which was carried.

The bill was then put upon its passage and passed by the following vote:

AYES—Senators Bryant, Cabell, Cottey, Dungan, Edwards of Layfayette, Edwards of St. Charles, Heard, Hutt, Jacobs, Lloyd, McGrath, McMahan, Manistre, Morrisson, Perkins, Rogers, Rouse, Stephens and Walker—19.

NOES—Senators Allen, Bland, Dobyns, Gottschalk, Headlee, Heaston, Mabrey, Mackay and Pehle—9.

ABSENT—Senators Bradley, Caldwell, DeArmond, Manring and Naylor—5.

ABSENT ON LEAVE—Senator Byrns.

The title of the bill read and agreed to.

House bill No. 636, entitled "An act to amend section 4932, chapter 89, article 5 of the Revised Statutes of the State of Missouri, relating to cities, towns and villages," was taken up, read third time and laid over informally.

House bill No. 391, entitled "An act to amend section 5745 of chapter 112 of the Revised Statutes of Missouri of 1879, entitled 'Of immi-

gration," was taken up, read third time and failed to pass by the following vote :

AYES—Senators Bradley, Bryant, Bland, Cottey, DeArmond, Heard, Jacobs, Lloyd, McMahan, Mackay and Rouse—11.

NOES—Senators Allen, Cabell, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Hutt, Mabrey, Manistre, Morrison, Pehle, Rogers, Stephens and Walker—14.

ABSENT—Senators Caldwell, Edwards of St. Charles, Headlee, Heaston, McGrath, Manring, Naylor and Perkins—8.

ABSENT ON LEAVE—Senator Byrns.

The following message was received from the House of Representatives through Mr. Purdom, one of the clerks :

MR. PRESIDENT: I am instructed by the House to return House bill No. 427, entitled "An act to provide for making and repairing public roads in counties having an assessed valuation of fifteen million dollars or more than one hundred and fifty miles of macadamized and graveled roads," as requested by resolution of the Senate.

Senator DeArmond moved that the Senate adjourn until 2 o'clock p. m.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Senator Bradley submitted the following report from the Committee on Enrolled Bills, which was read :

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 160, entitled "An act to amend section 3311, chapter 52 of the Revised Statutes of the State of Missouri, entitled 'Of mortgages and deeds of trust.'"

The President announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No. 160, entitled "An act to amend section 3311, chapter 52 of the Revised Statutes of the State of Missouri, entitled 'Of mortgages and deeds of trust,'" and that unless objections be made he would sign the same to the end that it may become a law; no objections being made, said bill was read at length by the Secretary, and the President, in the presence of the Senate in open session, no other business intervening, affixed his signature thereto; said bill was immediately sent to the House of Representatives for the signature of the Speaker.

Senate bill No. 160, having been signed by the President of the Senate and the Secretary, was this day presented to the Governor for his approval.

The following message was received from the Governor, through his Private Secretary, Mr. F. C. Farr, which was read:

EXECUTIVE OFFICE, CITY OF JEFFERSON, }
March 25, 1881. }

SIR: I return to the Senate with my approval endorsed thereon, bills of the following titles:

"An act for the relief of Charles G. Comstock, and to appropriate money therefor."

"An act to amend section 5824, chapter 116 of the Revised Statutes of the State of Missouri, relating to insane persons."

"An act to exempt the husband from the payment of debts of the wife contracted before marriage."

Very respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, President of the Senate.

House bill No. 645, entitled "An act to suppress the circulation and vending of obscene literature," was taken up with pending amendments:

Amendment No. 1 was adopted, as follows: Amend the first section by inserting the words "in the county jail," after the words "one year," in the thirteenth line.

Amendment No. 2 was adopted, as follows: Amend the second section by inserting the words "in the county jail," after the words "one year," in the twelfth line.

Amendment No. 3 was adopted, as follows: Strike out the fourth section.

Amendment No. 4 was adopted, as follows: Amend the title of the act by adding thereto the following words: "And manufacture and sale of articles for immoral uses."

Senator Lloyed offered the following amendment, which was read:

Amend section 1 by striking out in second line the words "has in his possession," and insert in lieu thereof the words "exhibits or circulates."

The bill, as amended, was read third time and passed by the following vote:

AYES—Senators Allen, Bradley, Bryant, Bland, Cabell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Jacobs, Lloyd, McGrath, McMa-

han, Mabrey, Mackay, Manistre, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—29.

ABSENT—Senators Caldwell, Dobyns, Heaston and Manring—4.

ABSENT ON LEAVE—Senator Byrns.

The title of the bill was read and agreed to.

Senator Lloyd moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table. The latter motion prevailed.

Senator Dobyns reported sick.

Senate bill No. 246, entitled "An act to relieve the supreme court from the necessity of preparing written opinions in certain cases," was taken up and the following House amendment, the same having been printed for the use of the Senate, was read :

Amend by inserting between the words "necessary" and "for," in first line, section 1, the following: "During the two years next after the passage of this act."

The amendment was adopted by the following vote :

AYES—Senators Allen, Bryant, Bland, Cabell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackey, Manistre, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—28.

ABSENT ON LEAVE—Senators Bradley, Byrns, Caldwell, Dobyns, Heaston and Manring—6.

Senator DeArmond moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 167, entitled "An act concerning the liability of cities, town and persons for damages to persons or property caused by riots," was taken up, and the following House amendment, the same having been printed for the use of the Senate, was read :

Amend section 2 by adding after the word "suit," in the last line of said section, the following words: *Provided*, the provisions of this section shall only apply to cities and towns having a population of over twenty-five thousand inhabitants."

The amendment was concurred in by the following vote :

AYES—Senators Allen, Bryant, Cabell, Cottey, DeArmond, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Morrisson, Naylor, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—25.

NOES—Senators Bland and Dungan—2.

ABSENT—Senators Bradley, Caldwell, Headlee, Heaston and Manring—5.

ABSENT ON LEAVE—Senator Dobyms.

SICK—Senator Byrns.

Senator McGrath moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Rouse submitted the following message from the committee of conference on House bill No. 459:

MR. PRESIDENT: Your Committee of Conference appointed to confer with a like committee appointed by the House to consider the difference between the two Houses on House bill No. 459, the same being Senate amendments to House bill No. 459, numbered one (1), two (2) and three (3), beg leave to report that they have considered the same and recommend that Senate amendment No. 1, as follows, be adhered to:

Amendment No. 1. Amend section 7, line 1, by inserting after the word "pharmacist," the words, "apothecary or owner of any drug store."

Your committee further report and recommend that Senate amendment No. 2, as follows, be receded from:

Amendment No. 2. Amend bill by striking out section 10.

Your committee further report and recommend that Senate amendment No. 3, as follows, be receded from:

Amendment No. 3. Amend by renumbering section 11 as section 10, section 12 as section 11, section 13 as section 12, and section 14 as section 13.

The report was concurred in by the following vote:

AYES—Senators Allen, Bradley, Bryant, Bland, Oabell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Manistre, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—26.

ABSENT—Senators Caldwell, Heaston, Mackay, Manring, Morrisson and Naylor—6.

ABSENT ON LEAVE—Senator Byrns.

SICK—Senator Dobyms.

Substitute for House bill No. 224, entitled "An act to amend section two thousand one hundred and twenty-four (2124), chapter twenty-five (25) of the Revised Statutes of Missouri, 'Of damages,'" was taken up with pending amendments.

Senator McGrath moved to lay the amendment on the table.

The ayes and noes being demanded, the motion prevailed by the following vote :

AYES—Senators Allen, Bryant, Cottey, Gottschalk, Headlee, Heard, Lloyd, McGrath, McMahan, Mackay, Morrisson, Naylor, Perkins, Rogers, Stephens and Walker—16. ,

NOES—Senator Bradley, Bland, Cabell, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Hutt, Jacobs, Mabrey, Manistre and Pehle—12.

ABSENT—Senator Rouse.

ABSENT ON LEAVE—Senators Caldwell, Heaston, Manring and Byrns—4.

SICK—Senator Dobyns.

House bill No. 427, entitled “An act to provide for working and repairing public roads in counties having an assessed valuation of fifteen million dollars or more, and more than one hundred and fifty miles of macadamized and graveled roads,” was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bryant, Bland, Cabell, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Jacobs, McGrath, McMahan, Mabrey, Manistre, Pehle, Rogers Rouse and Stephens—18.

NOES—Senators Bradley, Cottey, DeArmond, Edwards of St. Charles, Hutt, Mackay, Morrisson, Naylor, Perkins and Walker—10.

ABSENT—Senators Caldwell and Lloyd—2.

ABSENT ON LEAVE—Senators Byrns, Heaston and Manring—3.

SICK—Senator Dobyns.

The title was read and agreed to.

Senator Allen moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table.

Senator Stephens submitted the following report from the Committee on State University, which was read :

MR. PRESIDENT: Your Committee on State University to whom was referred House bill No. 312, entitled “An act to amend section 7241 of chapter 156, article 1, title ‘State University,’” beg leave to report that they have considered the same and recommend that it do pass.

The bill so reported being House bill No. 312, entitled “An act to amend section 7241 of chapter 156, article 1, title ‘State University,’” was taken up, read third time and passed by the following vote :

AYES—Senators Bradley, Bryant, Cabell, Cottey, Edwards of St. Charles, Heard, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey,

Mackay, Morrisson, Naylor, Rogers, Rouse, Stephens and Walker—19.

NOES—Senators Allen, Bland, DeArmond, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Pehle and Perkins—9.

ABSENT—Senator Manring.

ABSENT ON LEAVE—Senators Byrns, Caldwell, Heaston, and Manistre—4.

SICK—Senator Dobyns.

The title of the bill was read and agreed to.

Senator Walker moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table.

The following message was received from the House of Representatives through Mr. Purdom, one of the clerks:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up Senate bill No. 139, entitled "An act to provide for the medical treatment of insane criminals and to appropriate money therefor," and receded from House amendment thereto, as follows:

Amend section 2 by striking out the words "State Lunatic Asylum at Fulton," and insert in lieu thereof the words "State Penitentiary at Jefferson City."

Senate bill No. 41 was taken up, and the following House amendment was read:

Amendment No. 1. Amend section 1 of Senate bill No. 41 by striking out all of said section after the word "chargeable," in second line, and inserting in lieu thereof the words: "To the State Revenue Fund, the sum of nine thousand dollars (\$9,000.00), to pay for printing laws and journals during the years 1881 and 1882; and the sum of three thousand dollars (\$3,000.00) for the pay of 31st General Assembly; and the further sum of three thousand dollars (\$3,000.00) for contingent expenses of 31st General Assembly."

The amendment was concurred in by the following vote:

AYES—Senators Allen, Bradley, Bryant, Bland, Cabell, Cöttey, DeArmond, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Morrisson, Naylor, Pehle, Perkins, Rogers, Stephens and Walker—26.

ABSENT—Senators Dungan, Headlee and Rouse—3.

ABSENT ON LEAVE—Senators Byrns, Caldwell, Heaston and Manring—4.

SICK—Senator Dobyns.

Amendment No. 2. Strike out all of sections 2, 3, 4, 5, 6, 7, 8, 9, 10,

11, 12, 13, 14, 15, 16, 18, 18, 19, 20, 21, 22, 23 and 24, was read first and second times and concurred in by the following vote:

AYES—Senators Allen, Bradley, Bryant, Bland, Cabell, Cottey, DeArmond, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Hutt, Jacobs, Lloyd, McGrath, McMahan, Mabrey, Mackay, Manistre, Morrisson, Naylor, Pehle, Perkins, Stephens and Walker—25.

ABSENT—Senators Dungan, Headlee, Rogers and Rouse—4.

ABSENT ON LEAVE—Senators Byrns, Caldwell, Heaston and Manring—4.

SICK—Senator Dobyys.

The following amendment to the title of the bill was read:

Amendment No. 3. Amend title of Senate bill No. 41 by inserting after the word "money" the words "to supply a deficiency in the appropriation."

The amendment was adopted and the title, as amended, agreed to.

Senator Cottey moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senate bill No. 236 was taken up and the following House amendment, having been printed for the use of the Senate, was read:

Amend section 1 of Senate bill No. 236 by adding after the word "excepted" in last line of said section the words "or bonds of the United States or of any county of this State: Provided further, that whenever there is any money in the State Treasury not necessary to defray the current expenses of the State government and to meet the appropriations made by law, it shall be the duty of the State Auditor and he is hereby authorized and required to transfer the same to the State sinking fund, and the same is hereby appropriated for the purpose of paying the State debt, or any portion thereof, and the interest thereon as it falls due, and other purposes, as provided in this section.

The amendment was not concurred in by the following vote:

AYES—Senators Bland, Cabell, Cottey, Headlee, Heard, McGrath, McMahan, Mabrey, Mackay, Perkins, Stephens and Walker—12.

NOES—Senators Allen, Bradley, Bryant, DeArmond, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Hutt, Lloyd, Manistre, Morrisson, Naylor, Pehle and Rouse—14.

ABSENT—Senators Dungan, Jacobs and Rogers—3.

ABSENT ON LEAVE—Senators Byrns Caldwell, Dungan and Heaston—4.

SICK—Senator Dobyys.

Senator Lloyd moved to reconsider the vote by which amendment was not concurred in; which was agreed to.

The amendment was then concurred in by the following vote :

AYES—Senators Bradley, Bryant, Cabell, Cottey, Edwards of St. Charles, Headlee, Heard, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Morrisson, Naylor, Perkins, Rouse, Stephens and Walker—19.

NOES—Senators Allen, Bland, DeArmond, Dungan, Edwards of Lafayette, Gottschalk, Jacobs, Manistre, Pehle and Rogers—10.

ABSENT ON LEAVE—Senators Byrns, Caldwell, Dobyns, Heaston and Manring—5.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary to whom was referred substitute for House bill No. 213, entitled "An act to amend section one thousand and fifty-one (1051), article one (1), chapter twenty-three (23) of the Revised Statutes, entitled 'Courts of Record,'" beg leave to report that they have considered the same, and I am instructed by a majority of your committee to report the same back with the recommendation that it do pass.

The bill so reported being substitute for House bill No. 213, entitled "An act to amend section one thousand and fifty-one (1051), article one (1), chapter twenty-three (23) of the Revised Statutes, entitled 'Courts of record,'" was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bradley, Bryant, Byrns, Bland, Cabell, Caldwell, Cottey, DeArmond, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Heaston, Hutt, Jacobs, McGrath, McMahan, Mabrey, Mackey, Manistre, Manring, Morrisson, Naylor, Pehle, Rogers, Rouse, Stephens and Walker—26.

NO—Senator Dungan.

ABSENT—Senators Lloyd and Perkins—2.

ABSENT ON LEAVE—Senators Byrns, Caldwell, Heaston and Manring—4.

SICK—Senator Dobyns.

Title of the bill was read and agreed to.

Senator Walker moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

The following message was received from the House of Representatives, through Mr. Purdom, one of the clerks :

MR. PRESIDENT: I am instructed by the House, to inform the Senate that there has taken up House bill No. 669, entitled "An act to appropriate money for the deficiencies in the appropriations for the

years 1879 and 1880, and to appropriate money for the payment of certain demands against the State for the payment of which no appropriation has hitherto been made," and concurred in Senate amendment, as follows: Amend section 1 by adding thereto the following: *Eleventh*—For salaries of officers of Lunatic Asylum No. 2, at St. Joseph, for the year 1880, fourteen hundred and twenty-five dollars (\$1,425.00).

Senator Cabell submitted the following report from the Special Committee, which was read:

MR. PRESIDENT: Your Committee of Senators from the city of St. Louis to whom was referred House bill No. 566, entitled "An act in relation to the taxation of business avocations by municipal corporations," beg leave to report that they have considered the same, and recommend that it do not pass.

The bill so reported, being House bill No. 566, was taken up, and Senator Cabell moved that the bill be indefinitely postponed.

The ayes and noes being demanded, the motion was lost by the following vote:

AYES—Senators Bryant, Bland, Cabell, Cottey, Gottschalk, Hutt, McGrath, Naylor, Rogers, Rouse, Stephens and Walker—12.

NOES—Senators Allen, DeArmond, Dungan, Edwards of Lafayette, Headlee, Heard, Jacobs, Mabrey, Mackay, Manistre, Morrison, Pehle and Perkins—13.

ABSENT—Senators Bradley, Edwards of St. Charles, Lloyd and McMahan—4.

ABSENT ON LEAVE—Senators Byrns, Caldwell, Dobyns, Heaston and Manring—5.

The bill was then read third time and failed to pass by the following vote:

AYES—Senators Allen, De Armond, Dungan, Edwards of Lafayette, Headlee, Jacobs, McMahan, Mabrey, Mackay, Manistre, Pehle and Perkins—12.

NOES—Senators Bland, Cabell, Cottey, Gottschalk, Heard, Hutt, Lloyd, McGrath, Morrison, Naylor, Rogers, Rouse, Stephens and Walker—14.

ABSENT—Senators Bradley, Bryant, Edwards of St. Charles—3.

ABSENT ON LEAVE—Senators Byrns, Caldwell, Dobyns, Heaston and Manring—5.

The following message was received from the House of Representatives through Mr. Purdom, one of the clerks:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up substitute for House bill No. 342, entitled an act to amend sections 7049 and 7067 of the Revised Statutes

of Missouri, 1879, relating to the laws and manner of making and returning school enumerations," and concurred in Senate amendment thereto, as follows :

Amend by striking out the title and inserting in lieu thereof the following :

An act to amend article 1 of chapter 150 of the Revised Statutes entitled of "schools," by striking out section 7049, and substituting a new section in lieu thereof, to be numbered section 7049.

Also, Senate bill No. 50, entitled "An act to appropriate money, and to provide for the payment of the Rolla board of education."

Also, Senate bill No. 129, entitled "An act to repeal an act entitled 'An act to provide for the exercise of the right of voting by persons who have failed to register.'" Emergency clause passed.

The President announced that all other business would be suspended and directed the Secretary to read at length House bill No. 464, entitled an act to amend section 6733, chapter 145, Revised Statutes of Missouri, entitled collectors bonds." The bill was read at length. No other business intervening, and no objections being made, the President in the presence of the Senate in open session signed said bill.

Senator Perkins submitted the following report from the Committee on Roads and Highways, which was read :

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred House bill No. 641, entitled "An act relating to roads, and highways, adding two new sections thereto," beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported, being House bill No. 640, was taken up, and laid over informally.

Senator DeArmond offered the following resolution :

Resolved, That the Ways and Means Committee be and they are instructed to forthwith return to the Senate for its further consideration House bill No. 670, entitled "An act to amend article eight of chapter one hundred and forty-five of the Revised Statutes of Missouri of 1879, by adding a new section thereto, concerning the assessment and taxation of railroads."

Read first and second time and Senator Cottey moved to lay the resolution on the table.

The ayes and noes being demanded, the motion was lost by the vote :

AYES—Senators Cottey, Heard, McGrath and Morrison—3.

NOES—Senators Allen, Bradley, Bland, Cabell, DeArmond, Dun-

gan, Gottschalk, Headlee, Hutt, Jacobs, McMahan, Mabrey, Mackey, Manistre, Pehle, Perkins, Rogers, Rouse, Stephens and Walker—20.

ABSENT—Senators Bryant, Edwards of Lafayette, Edwards of St. Charles, Lloyd and Naylor—5.

ABSENT ON LEAVE—Senators Byrns, Caldwell, Dobyns, Heaston and Manridg—5.

Senator Cottey offered the following substitute for the resolution, which was read :

Resolved, That all standing committees of the Senate, who have bills in their possession of either the House or Senate, be and they are hereby instructed to return or report the same back to the Senate at the earliest practicable moment, to the end that they may have consideration in the Senate.

On motion of Senator Heaston the resolution and substitute were laid over informally.

The following message was received from the House of Representatives through Mr. Purdom, one of the clerks :

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed together with the emergency clause Senate bill No. 203, entitled "An act in relation to criminal procedure in the city of St. Louis, and to repeal sections 18 and 19 of chapter 2 of the appendix of the Revised Statutes of Missouri, concerning 'The criminal court.'"

Senator Rouse submitted the following report from the Committee on Privileges and elections, which was read :

MR. PRESIDENT: Your Committee on Privileges and Elections, to whom was referred House Bill No. 730, entitled "An act to amend section 5529, chapter 101 of the Revised Statutes of Missouri, entitled 'Of elections,' " beg leave to report that they have considered the same and a majority of the committee recommend that it do pass.

The bill so reported, being House bill No. 730, was taken up, and indefinitely postponed by the following vote :

AYES—Senators Allen, Bland, Edwards of St. Charles, Gottschalk, Heard, Hutt, McGrath, McMahan, Mackay, Morrisson, Naylor, Rogers, Rouse, Stephens and Walker—15.

NOES—Senators Headlee and Jacobs—2.

ABSENT—Senators Bradley, Bryant, Cabell, Cottey, DeArmond, Dungan, Edwards of Lafayette, Lloyd, Mabrey, Manistre, Pehle and Perkins—12.

ABSENT ON LEAVE—Senators Byrns, Caldwell, Dobyns, Heaston and Manring—5.

Senator Hutt moved to reconsider the vote by which the bill was indefinitely postponed, and to lay the motion to reconsider on the table; the latter motion prevailed.

The president announced that all other business would be suspended and directed the secretary to read at length, House bill No. 161, entitled "An act in relation to marriage and marriage licences."

The bill was read at length, no other business intervening, and no objection being made, the president in the presence of the Senate, in open session, signed said bill.

The following messages were received from the House of Representatives through Mr. Purdom, one of the Clerks:

MR. PRESIDENT: I am instructed by the House to inform the Senate, that the House has taken up House bill No. 173, entitled "An act to provide for the payment of wages of labor in lawful money of the United States," and concurred in the following Senate amendment hereto annexed:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. It shall not be lawful for any corporation, person or firm engaged in manufacturing or mining in this State to issue, pay out or circulate for payment of the wages of labor, any order, check, memorandum, token or evidence of indebtedness, payable in whole or in part otherwise, and in lawful money of the United States, unless the same is negotiable and redeemable at its face value, without discount, in cash, or in goods, wares, merchandise or supplies, at the option of the holder, at the store or other place of business of such firm, person or corporation, or at the store of any other person on whom such papers may be drawn where goods, wares or merchandise are kept for sale, sold or exchanged; and the person who, or corporation, firm or company which may issue any such order, check, memorandum, token or other evidence of indebtedness, shall, upon presentation and demand, any time after the maturity thereof, redeem the same in goods, wares, merchandise or supplies, at the current cash market prices for like goods, wares, merchandise or supplies, or in lawful money of the United States, as may be demanded by the holder of any such order, memorandum, token or other evidence of indebtedness.

Sec. 2. Any officer or agent of any corporation, or any person, firm or company engaged in the business of manufacturing or mining in this State, who, by themselves or agent, shall issue or circulate in payment for wages of labor any order, check, memorandum, token or evidence of indebtedness, payable in whole or in part otherwise than

in lawful money of the United States, without being negotiable and payable at the option of the holder in goods, wares, merchandise, supplies or lawful money of the United States, as required by the first section of this act, or who shall fail to redeem the same when presented for payment at or after the maturity thereof, at his or their office or place of business, in lawful money of the United States, or who shall compel or attempt to coerce any employe of any such corporation, person, firm or company to purchase goods, wares, merchandise or supplies from any particular person, firm or corporation, shall be guilty of a misdemeanor, and, on conviction thereof, shall be fined not less than ten nor more than five hundred dollars for each and every such offense.

Sec. 3. All fines which may be collected under the provisions of this act shall be paid into the county treasury of the county in which the prosecution shall be instituted, for the benefit of the public school fund of such county.

Sec. 3. Every circuit and prosecuting attorney in this State, upon his own knowledge of the facts, or upon the statement of any person whom he has reason to believe, and does believe to be credible, that any person has violated any of the provisions of this act, may file an information against such person in any court of competent jurisdiction, and prosecute him in the manner provided by law for the prosecution of misdemeanors.

Also, Senate bill No. 227, entitled "An act to amend section 5607, chapter 103 of the Revised Statutes of Missouri, entitled 'Of fees.'"

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up substitute for House bill No. 354, entitled "An act to amend section 1160, chapter 23, article 4, entitled 'Of circuits,' " and concurred in Senate amendments hereto annexed:

Amend the bill by striking out all after the enacting clause and inserting the following in lieu thereof:

SECTION 1. That section 1160 of the Revised Statutes be and the same is hereby amended by by striking out the words "on the second Monday in February and fourth Monday in July," where they occur between the words "Marion" and "Hannibal," in the 3d and 4th lines of said section, and inserting in lieu thereof the following: "On the first Monday in June and the second Monday in November," and by adding to said section the following: "All writs and processes heretofore issued and returnable to the terms of court as now provided by law, shall be returnable to the terms of the respective courts as provided by this act, and shall have the same force and effect as if no

change had been made in the time of holding said courts," so that said section, as amended, shall read as follows:

Sec. 1160. In the sixteenth judicial circuit the courts shall be had at the following designated times in each county respectively, in each year: In the county of Marion, on the first Monday in June, and the second Monday in November; Hannibal Court of Common Pleas, on the second Monday in January, first Monday in May and third Monday in September; in the county of Ralls, on the third Monday in March and the fourth Monday in August; in the county of Monroe, on the [—] Monday in April and the fourth Monday in October; in the county of Shelby, on the first Monday in April and the second Monday in October. All writs and processes heretofore issued and returnable to the terms of court as now provided by law, shall be returnable to the terms of the respective courts as provided by this act, and shall have the same force and effect as if no change had been made in the time of holding said courts.

Sec. 2. The change in the time of holding court in the county of Marion creates an emergency; therefore, this act shall take effect and be in force from and after its passage.

And also passed the emergency clause.

Also taken up substitute for House bill No. 439, entitled "An act to amend section 6988, chapter 148, Revised Statutes of Missouri, entitled 'Of salaries,'" and concurred in the following Senate amendment hereto annexed:

Amend by striking out the present title and insert the following:

An act to amend section six thousand nine hundred and eighty-eight (6988) and six thousand nine hundred and eighty-nine (6989) of chapter 148 of the Revised Statutes of Missouri, and adding a new section thereto, to be numbered 6990a, entitled "Of salaries."

Amend House bill No. 439 by adding the following new section:

Sec. 2. That section 6989 of chapter 148 of the Revised Statutes of Missouri, be amended by adding after the words "per annum," where they occur in the fourth line of the section, the following words, "except the chief clerk in the Auditor's office, who shall be paid the sum of two thousand dollars (\$2,000) per annum," so that said section, when amended, will read as follows:

Sec. 6989. Salaries of clerks of State officers. The chief clerks in the offices of the several State officers, and the book-keepers in the offices of the State Auditor and State Treasurer shall each receive a salary not exceeding fifteen hundred dollars per annum, except the chief clerk in the State Auditor's office, who shall be paid the sum of two thousand dollars (\$2,000) per annum, and all other clerks allowed said officers by law shall each receive a salary not exceeding one thousand

dollars per annum for the time they are actually employed, but no such clerk or book-keeper shall receive any greater amount than is allowed by law as a salary for one clerk or book-keeper; and in every case the warrants for such salary shall be drawn in favor of the person performing the services.

Sec. 3. There is hereby appropriated, out of the revenue fund, the additional sum of two thousand dollars (\$2,000) for the payment of the chief clerk in the State Auditor's office and the salary of the Governor's Private Secretary, not otherwise provided for in the general appropriation bill.

Senator Jacobs arose to a question of privilege, and in appropriate words presented the President with a gold headed cane.

Senator Heard, in like manner, presented the Secretary, Mr. Nesbit, with an ink stand and gold pen.

On motion of Senator Bryant, the Senate adjourned.

SIXTY-SEVENTH DAY—SATURDAY, March 26.

MORNING SESSION.

The Senate met pursuant to adjournment.

President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following message was received from the House of Representatives through Mr. Purdom, one of the clerk:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed,

Senate joint and concurrent resolution No. 14, entitled "An act urging Congress to provide for a survey and preparation of sectional and schedule maps of the swamp and overflowed lands in Southeast Missouri and Northeastern Arkansas:"

Also, taken up House bill No. 415, entitled "An act to amend sec-

tion 3489, article 4, chapter 59 of the Revised Statutes," and concurred in the following Senate amendment, hereto annexed :

Amend by striking out the words "by the clerk issuing the original writ," where they occur in the preface and at the end of section 1 of said bill, and inserting in lieu thereof the words, "by the officer serving the same, and for each copy necessarily made by him, he shall be entitled to a fee of ten cents :"

Also, Senate joint and concurrent resolution No. 17, entitled "An act respecting the probate court in the county of Jackson :"

Also, Senate bill No. 169, entitled "An act to amend section 790, chapter 21, article 2 of the Revised Statutes of the State of Missouri, entitled ' Railroad companies :'"

Also, Senate bill No. 235, entitled "An act to appropriate money for payment of an unpaid balance of the salary of P. H. Edwards, formerly Judge of the Fourteenth Judicial Circuit of the State of Missouri :"

Also, Senate bill No. 156, entitled "An act to repeal section 116, article 6, chapter 1 of the Revised Statutes of the State of Missouri, in relation to sales of personal property in administration, and enacting in lieu thereof a new section :"

Also, taken up, amended and passed Senate bill No. 150, entitled "An act to amend section 806, article 2, chapter 21 of the Revised Statutes, entitled ' Of private corporations :'"

Also, House bill No. 544, entitled "An act to amend section 4175 of chapter 78 of the Revised Statutes of Missouri, concerning auctioneers," and concurred in the following Senate amendment hereto annexed :

Amend section 1 by inserting after the words " sold by the owner," in line 4, printed bill, the following, and inserting in lieu thereof the words, " sold at the residence of the owner :"

Also, Senate bill No. 240, entitled "An act to amend section 1332 of chapter 46 of the Revised Statutes of Missouri, entitled ' Of laws. '"

Also, Senate bill No. 126, entitled "An act to amend section 3660, article 7 of chapter 59 of the Revised Statutes of Missouri, entitled ' Of practice in civil cases :'"

Also, taken up House bill No. 719, entitled "An act to provide for the disposition of money which may be paid into the State Treasury in satisfaction of bonds issued by the State to any company or corporation, and to appropriate said money," and amended Senate amendment, and as amended, concurred in Senate amendment thereto.

The following message was received from the Governor through his private Secretary, Mr. Farr :

SIR: I return to the Senate, with my approval indorsed thereon, a bill of the following title:

"An act to amend section 3311, chapter 52 of the Revised Statutes of the State of Missouri, entitled 'Of mortgages and deeds of trust.'"

Respectfully, THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, President of the Senate.

Senator McMahan submitted the following report from the Committee on Agriculture, which was read:

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred substitute for House bills Nos. 176 and 233, entitled "An act to repeal sections 5426, 5427, 5428, 5429, 5430, 5431, 5432 and 5433, chapter 97, Revised Statutes of Missouri, 'Of dogs,'" beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported, being substitute for House bills Nos. 176 and 234, entitled "An act to repeal sections 5426, 5427, 5428, 5429, 5430, 5431, 5432 and 5433, chapter 97, Revised Statutes of Missouri, 'Of dogs,'" was taken up, read third time and failed to pass by the following vote:

AYES—Senators Allen, Bryant, Bland, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Gottschalk, Headlee, Heard, McMahan, Mabrey, Mackay, Morrisson, Naylor, Stephens and Walker—17.

NOES—Senators Pehle, Perkins, Rogers and Rouse—4.

ABSENT—Senators Bradley, Cabell, Dungan, Edwards of St. Charles, Hutt, Lloyd, McGrath and Manistre—8.

ABSENT ON LEAVE—Senators Byrns, Caldwell, Heaston, Manring and Jacobs—2.

Senator Pehle moved to reconsider the vote by which the bill failed to pass, which motion was agreed to.

The bill then passed by the following vote:

AYES—Senators Allen, Bryant, Bland, Cabell, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Edwards of St. Charles, Headlee, Heard, McGrath, McMahan, Mabrey, Mackay, Morrisson, Naylor, Rogers, Stephens and Walker—20.

NOES—Senators Gottschalk, Pehle and Perkins—3.

ABSENT—Senators Bradley, Dungan, Hutt, Lloyd, Manistre and Rouse—6.

ABSENT ON LEAVE—Senators Byrns, Caldwell, Heaston, Jacobs and Manring—5.

The title of the bill was read and agreed to.

Senator McMahan submitted the following report from the Committee on Agriculture:

MR. PRESIDENT: Your Committee on Agriculture, to whom was

referred substitute for House bill No. 366, entitled "An act to regulate the inspection of tobacco and to appoint tobacco inspector," beg leave to report that they have considered the same, and recommend that it do not pass.

The bill so reported, being substitute for House bill No. 366, was taken up, and, on motion of Senator McMahan, indefinitely postponed.

Senator Cottey submitted the following report from the Committee on Ways and Means :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred House bill No. 734, entitled "An act regulating levying of taxes on real estate and personal property in cities containing thirty thousand and less than fifty thousand inhabitants," beg leave to report that they have considered the same, and return it to the Senate without recommendation.

The bill so reported, being House bill No. 734, was taken up, and, on motion of Senator Heard, referred to the Committee on Banks and corporations.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred House bill No. 299, entitled "An act to amend section 6685, article 2, chapter 145, Revised Statutes of Missouri of 1879, in relation to the enlistment of property," beg leave to report that they have considered the same, and return it to the Senate without recommendation.

The bill so reported being House bill No. 299, was taken up and Senator Lloyd moved that the bill be recommitted to the Committee on Ways and Means.

The ayes and noes being demanded, the motion to recommit was lost by the following vote :

AYES—Senators Allen, Bland, Cabell, DeArmond, Gottschalk, Lloyd, McMahan and Mabrey—8.

NOES—Senators Bryant, Cottey, Dobyns, Edwards of Lafayette Edwards of St. Charles, Headlee, Heard, Hutt, McGrath, Mackay, Morrisson, Naylor, Pehle, Rogers, Rouse, Stephens and Walker—17.

ABSENT—Senators Dungan, Manistre and Perkins—3.

ABSENT ON LEAVE—Senators Bradley, Byrns, Caldwell, Heaston, Jacobs and Manring—6.

On motion of Senator Cottey, the bill was then indefinitely postponed.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred House bill No. 543, entitled "An act for the completion and improvment and furnishing necessary heating apparatus and furniture for the normal school building of the second district, and to appropriate money therefor," beg leave to report that they have considered the same, and return it to the Senate without recommendation.

The bill so reported being House bill No. 543, was taken up, and on motion of Senator Cottey, indefinitely postponed.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred House bill No. 623, entitled "An act providing for licensing and taxing express companies," beg leave to report that they have considered the same, and return it back to the Senate and ask to be discharged from further consideration of the same.

The bill so reported, being House bill No. 623; was taken up and on motion of Senator Cottey indefinitely postponed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 728, entitled "An act to define and construe the fourth paragraph of section 3489 of article (4) four of chapter (59) fifty-nine of the Revised Statutes, entitled 'Of the manner of commencing suits and the service of notices,' of practice in civil cases," beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported, being House bill No. 728, was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bland, Cabell, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Rouse, Stephens and Walker—20.

NOES—Senators Cottey, Morrison, Pehle and Rogers—4.

ABSENT—Senators Bryant, Manistre and Naylor—3.

ABSENT ON LEAVE—Senators Bradley, Byrns, Caldwell, Heaston, Jacobs and Manring—6.

The title of the bill was read and agreed to.

Senator DeArmond moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

The following message was received from the House of Representatives through Mr. Purdom, one of the clerks :

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed Senate bill No. 223, entitled "An act to amend section 1486, chapter 24, article 6 of the Revised Statutes of Missouri, in relation to crimes and criminal procedure."

Also, taken up House bill No. 318, entitled "An act to amend section 1574 of the Revised Statutes, relating to nuisances," and concurred in the following amendment thereto:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section 1574 of the Revised Statutes is hereby amended by striking out the word "or," between "brook" and "branch," in the third line, and striking out "of which use is made for domestic purposes," between the words "branch" and "every," in the third and fourth lines, and inserting in lieu thereof "creek, pond or lake," and by striking out the words "upon premises not his own or," in the sixth and seventh lines, and inserting the words "or near" in lieu thereof, and by striking out the word "a," between "in" and "public," in the seventh line, and inserting in lieu thereof the word "any," and by inserting between the words "road" and "any," in the seventh line, the words "or highway or any of the streams or water courses other than the Missouri and Mississippi rivers," so that said section, as amended, shall read as follows:

Section 1574. If any person or persons shall put any dead animal, carcass or part thereof, the offal or any other filth into any well, spring, branch, creek, pond or lake, every person so offending shall, on conviction thereof, be fined in any sum not less than ten nor more than one hundred dollars. If any person shall remove, or cause to be removed, and placed in or near any public road or highway, or in any of the streams or water courses other than the Missouri and Mississippi rivers, any dead animal, carcass or part thereof, or other nuisance, to the annoyance of the citizens of this State, or any of them, every person so offending shall, upon conviction thereof, be fined for every such offense any sum not less than ten dollars nor more than fifty dollars; and if such nuisance be not removed within three days thereafter, it shall be deemed a second offense against the provisions of this section.

Senator DeArmond submitted the following report from the Committee on Judiciary:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 395, entitled "An act to amend section two thousand seven hundred and forty-three (2743), chapter forty-two (42)

of the Revised Statutes of Missouri, 'Of judgments," beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported being House bill No. 395, was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bland, Cabell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Hutt, Lloyd, McMahan, Mabrey, Mackay, Morrisson, Pehle, Rogers, Rouse, Stephens and Walker—22.

ABSENT—Senators Bryant, Edwards of St. Charles, McGrath Manistre, Naylor and Perkins—6.

ABSENT ON LEAVE—Senators Bradley, Byrns, Caldwell, Heaston, Jacobs and Manning—6.

The title of the bill was read and agreed to.

Senator DeArmond moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

The following message was received from the House, through Mr. Hannay, assistant Chief Clerk:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed Senate bill No. 112, entitled "An act to appropriate money for the completion of the normal school building of the second district, at Warrensburg."

Senator Lloyd submitted the following report from the Committee on Internal Improvements, which was read:

MR. PRESIDENT: Your Committee on Internal Improvements, to whom was referred substitute for House bill No. 721, entitled "An act relating to railroads," beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment.

The bill so reported, being substitute for House bill No. 721, was taken up and the following amendment offered by the committee was adopted:

Amend section I by adding at the end thereof the following words, to wit: "Provided, that before such railroad company shall be required to put in such switch or side track, it may require the party or parties at whose request the same are to be made to enter into an obligation in writing to mine, take out and ship from such shaft or mine not less than an average of three car loads of coal per day during each month, and whenever such party or parties shall fail to perform the conditions of such obligation, the company may take up and remove such connection with its track, and after the same shall have been taken up or re-

moved for the cause aforesaid, the company shall not be required to restore the same for a period of one year after such removal."

On motion of Senator DeArmond, the bill was then read a third time and passed by the following vote:

AYES—Senators Allen, Bryant, Bland, Cabell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Hutt, Lloyd, McMahan, Mabrey, Mackay, Morrisson, Pehle, Rogers, Rouse, Stephens and Walker—23.

ABSENT—Senators Edwards of St. Charles, McGrath, Manistre, Naylor and Perkins—5.

ABSENT ON LEAVE—Senators Bradley, Byrns, Caldwell, Heaston, Jacobs and Manring—6.

The title of the bill was read and agreed to.

Senator Lloyd moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

House bill No. 719, entitled "An act to provide for the disposition of money which may be paid into the State Treasury in satisfaction of bonds issued by the State to any company or corporation, and to appropriate said money," was taken up, and the following House amendment, the same having been printed for the information of the Senate, was read:

Amend Senate amendment by inserting after the word "State," line 8, the words "or bonds of the United States."

The amendment was concurred in by the following vote:

AYES—Senators Allen, Bryant, Bland, Cabell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Morrison, Naylor, Pehle, Rogers, Rouse, Stephens and Walker—25.

ABSENT—Senators Edwards of St. Charles, Manistre and Perkins—3.

ABSENT ON LEAVE—Senators Bradley, Byrns, Caldwell, Heaston, Jacobs and Manring—6.

The following amendment to the title was read first and second times and agreed to:

Amend the amendment to the title by inserting the words "or bonds of the United States," after the word "State," in line 8.

The title, as amended, was agreed to.

Senator Morrisson moved to reconsider the vote by which the amendment was concurred in, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred substitute for House bill No. 325, entitled "An act to amend section 1182, chapter 23, article 5, Revised Statutes of Missouri, relating to probate courts," beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment.

The bill so reported, being substitute for House bill No. 325, was taken up and the following amendment, offered by the committee, agreed to :

Amend by striking out the following wherever found in the bill: "The parties in interest shall proceed at once to select a qualified attorney, who shall possess all the qualifications of a probate judge and be subject to none of the objections which would prevent him acting as special judge in the cause for which he is selected, and such attorney shall proceed at once to act as probate judge in such cause," and inserting in lieu thereof the following: "The parties in interest may, in writing, to be entered of record and filed with the papers in the cause, select a licensed attorney-at-law, a citizen of the county, subject to none of the objections which would prevent him from acting as special judge in the cause, to act as such special judge, who shall take the same oath as a probate judge, and shall act as probate judge in said cause."

On motion of Senator DeArmond, the bill was then read third time and passed by the following vote:

AYES—Senators Allen, Bryant, Bland, Cabell, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Hutt, Lloyd, McMahan, Mabrey, Mackay, Pehle, Rouse and Stephens—19.

NOES—Senators Cottey, Morrisson and Walker—3.

ABSENT—Senators Bradley, Heard, McGrath, Manistre, Naylor, Perkins and Rogers—7.

ABSENT ON LEAVE—Senator Byrns, Caldwell, Heaston, Jacobs and Manning—5.

The title of the bill was read and agreed to.

Senator DeArmond moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred substitute for House bill No. 387, entitled "An act to authorize

and enable the respective county courts of the counties in this State to purchase real estate in certain cases and dispose of same," beg leave to report that they have considered the same, and recommend that it do pass with the following amendment.

The bill so reported, being substitute for House bill No. 387, entitled "An act to authorize and enable the respective county courts of the counties in this State to purchase real estate in certain cases, and dispose of the same," was taken up, and the following amendment offered by the committee, was read first and second times and adopted:

Amend by striking out all after the enacting clause, and inserting in lieu thereof the following:

Section 1. Whenever under any order, judgment or decree of any court of competent jurisdiction, or by virtue of a sufficient power of sale contained in any mortgage or deed of trust, any real estate shall be legally offered for sale, and any county in this State shall be interested, as trustee of any fund or otherwise, in the real estate to be sold, or in the proceeds of the sale thereof, in all such cases the county court of the county interested in any manner as aforesaid, may by an agent duly appointed by an entry of record, bid upon, and buy, any such real estate as in the best judgment and discretion of the court may seem proper, for the protection of the interest of the county, or of the fund of which the county court is trustee, as the case may be. It shall be competent for the county court in all cases to give its agent all suitable directions, and place him under all proper restrictions as to his action in the bidding on, or buying, any such real estate. All real estate purchased shall be purchased in the name of the proper county, and shall be managed and disposed of in the same manner, as nearly as practicable, as is provided in section 7115 of the Revised Statutes of Missouri, respecting the management and disposition of school lands: *Provided*, that nothing in this act shall be so construed as to authorize any county to bid for any real estate a sum greater than the cash value thereof, nor greater than the interest which the county has in the real estate, or the proceeds of the sale thereof, and costs.

The bill was then read third time and passed by the following vote:

AYES—Senators Allen, Bryant, Bland, Cabell, Cottey, DeArmond, Dobyons, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Lloyd, Mabrey, Mackay, Pehle, Rogers, Rouse, Stephens and Walker—22.

ABSENT—Senators Bradley, McGrath, McMahan, Manistre, Morrison and Naylor—6.

ABSENT ON LEAVE—Senators Byrns, Caldwell, Heaston, Jacobs, Manring and Perkins—6.

The title of the bill was read and agreed to.

Senator DeArmond moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

The following message was received from the House of Representatives, through Mr. Hannay, Assistant Chief Clerk:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed Senate bill No. 180, entitled "An act to amend section twenty-six hundred and eighty-nine (2689), chapter thirty-nine (39) of the Revised Statutes of Missouri, 'Of homesteads.'"

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read:

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred House bill No. 402, entitled "An act to provide for the registration and payment of State warrants," beg leave to report that they have considered the same, and return it to the Senate and ask to be discharged from further consideration of the subject.

The bill so reported, being House bill No. 402, was indefinitely postponed.

Senator Edwards of St. Charles submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 708, entitled "An act to amend section 1829, article 16, chapter 24, Revised Statutes, 'Of crimes and criminal procedure,'" beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported, being House bill No. 708, entitled "An act to amend section 1829, article 16, chapter 24, Revised Statutes, 'Of crimes and criminal procedure,'" was taken up, read third time and passed by the following vote:

AYES—Senators Bland, Cabell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Heard, Hutt, Lloyd, Mackay, Morrisson, Pehle, Rogers, Rouse, Stephens and Walker—19.

ABSENT—Senators Allen, Bradley, Bryant, Headlee, McGrath, McMahan, Manistre and Naylor—8.

ABSENT ON LEAVE—Senators Byrns, Caldwell, Heaston, Jacobs, Mabrey, Manring and Perkins—7.

The title of the bill was read and agreed to.

Senator Edwards of St. Charles moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Edwards of St. Charles submitted the following reports from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT : Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 714, entitled "An act prescribing how grand juries shall be selected in cities having over three hundred thousand inhabitants," beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported, being House bill No. 714, entitled "An act prescribing how grand juries shall be selected in cities having over three hundred thousand inhabitants," was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bryant, Bland, Cabell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Headlee, Heard, Hutt, Lloyd, McMahan, Mabrey, Mackay, Naylor, Rouse, Stephens and Walker—21.

ABSENT—Senators Bradley, Gottschalk, McGrath, Manistre, Morrisson, Pehle and Rogers—7.

ABSENT ON LEAVE—Senators Byrns, Caldwell, Heaston, Jacobs, Manring and Perkins—6.

The title read and agreed to.

Senator Edwards of St. Charles moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Heard submitted the following report from the Committee on Banks and Corporations, which was read :

MR. PRESIDENT : Your Committee on Banks and Corporations, to whom was referred House bill No. 733, entitled "An act authorizing cities, acting under special charters and containing more than thirty thousand and less than fifty thousand inhabitants, to establish a system of sewerage and keep in repair sewers, culverts and drains," beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported, being House bill No. 733, entitled "An act authorizing cities acting under special charters and containing more than thirty thousand and less than fifty thousand inhabitants to establish a system of sewerage, and to construct, establish and keep in repair sewers, culverts and drains," was taken up, read third time and passed by the following vote :

AYES—Senators Bryant, Bland, Cabell, Cottey, DeArmond, Dobyons, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Lloyd, McMahan, Mabrey, Mackay, Morrisson, Naylor, Pehle, Rogers, Rouse, Stephens and Walker—24.

ABSENT—Senators Allen, Bradley, McGrath and Manistre—4.

ABSENT ON LEAVE—Senators Byrns, Caldwell, Heaston, Jacobs, Manring and Perkins—6.

The title of the bill was read and agreed to.

Senator Heard moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

The following message was received from the House of Representatives through Mr. Purdom, one of the Clerks :

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up, and passed Senate bill No. 72, entitled "An act to amend chapter 119 of the Revised Statutes of Missouri, 'Of insurance,' by providing for the imposition and collection of fines and penalties.

Senator Heard submitted the following report from the Committee on Banks and Corporations, which was read :

MR. PRESIDENT: Your Committee on Banks and Corporations, to whom was referred House bill No. 734, entitled "An act regulating levying taxes on real estate and personal property in cities containing thirty thousand and less than fifty thousand inhabitants," beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported, being House bill No. 734, entitled "An act regulating the levying of taxes upon real and personal property, including choses in action in cities containing more than thirty thousand and less than fifty thousand inhabitants," was taken up, read third time and passed by the following vote :

AYES—Senators Bryant, Bland, Cabell, Cottey, Dobyons, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Lloyd, McMahan, Mabrey, Mackay, Morrisson, Naylor, Pehle, Rouse, Stephens and Walker—22.

ABSENT—Senators Allen, Bradley, DeArmond, McGrath, Manistre and Rogers—6.

ABSENT ON LEAVE—Senators Byrns, Caldwell, Heaston, Jacobs, Manring and Perkins—6.

The title of the bill was read and agreed to.

Senator Cottey moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred House bill No. 377, entitled "An act to repeal section 6661, chapter 145, article 1, 'Assessment and collection of the revenue,'" beg leave to report that they have considered the same, and return it to the Senate, and ask to be discharged from further consideration of the subject.

The bill so reported, being House bill No. 377, was taken up and referred to the Committee on Banks and Corporations.

Senator Cottey submitted the following reports from the Committee on Ways and Means, which were read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 239, entitled "An act to amend section 7631 of chapter 164 of the Revised Statutes, entitled 'Treasury department,'" beg leave report that they have considered the same, and return to the Senate, and ask to be discharged from further consideration of the subject.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 225, entitled "An act to amend section 6315, chapter 129 of the Revised Statutes of Missouri, entitled 'Of merchants' licenses,'" beg leave to report that they have considered the same, and return it to the Senate and ask to be discharged from further consideration of the subject.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate joint and concurrent resolution No. 15, entitled "Joint and concurrent resolution in relation to adjournment," beg leave to report that they have considered the same and return it to the Senate, and ask to be discharged from further consideration of the subject.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 98, entitled "An act of limitation as to the

payment of certain State warrants and State bonds," beg leave to report that they have considered the same, and return to the Senate and ask to be discharged from further consideration of the subject.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 130, entitled "An act to authorize the State of Missouri to issue bonds to redeem the existing indebtedness of the State, and to reduce the interest on the same," beg leave to report that they have considered the same, and return it to the Senate and ask to be discharged from further consideration of the subject.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 121, entitled "An act to amend section 7606, chapter 164 of the Revised Statutes, entitled 'Of State treasury,'" beg leave to report that they have considered the same, and return it to the Senate and ask to be discharged from further consideration of the subject.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 215, entitled "An act in relation to the assessment of real estate on county lines," beg leave to report that they have considered the same, and return it to the Senate and ask to be discharged from further consideration of the subject.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 82, entitled "An act providing for taxing State bonds," beg leave to report that they have considered the same, and return it to the Senate and ask to be discharged from further consideration of the subject.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 198, entitled "An act to provide for the collection and apportionment of taxes due under the provisions of the act to facilitate the construction of railroads in the State of Missouri, approved March 23, 1868," beg leave to report that they have considered the same, and return it to the Senate and ask to be discharged from further consideration of the subject.

MR. PRESIDENT: Your Committee on Ways and Means to whom was referred Senate bill No. 36, entitled "An act declaring certain bonds due and payable, and authorizing the Fund Commissioners to sell four and a half per cent. bonds to redeem the bonds so declared due and payable," beg leave to report that they have considered the same and return it to the Senate, and ask to be discharged from further consideration of the subject.

The bills so reported being Senate bills Nos. 239, 225, 95, 130, 121, 215, 82, 198, 36, and Senate joint and concurrent resolution No. 15, was taken up and indefinitely postponed.

The following message was received from the House of Representatives through Mr. Purdom, one of the clerks:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up House bill No. 645, entitled "An act to suppress the circulation and vending of obscene literature," and concurred in Senate amendments thereto, as follows:

Amendment No. 1. Amend the first section by inserting the words "in the county jail," after the words "one year," in the thirteenth line.

Amendment No. 2. Amend the second section by inserting the words "in the county jail," after the words "one year," in the twelfth line.

Amendment No. 3. Strike out the fourth section.

Amendment No. 4. Amend the title of the act by adding thereto the following words: "and manufacture and sale of articles of immoral uses."

Amend section 1 by striking out in second line the words "has in his possession," and inserting in lieu thereof the words "exhibits or circulates."

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read:

MR. PRESIDENT: Your Committee on Ways and Means to whom was referred House bill No. 670, entitled "An act to amend article 8 of chapter 145 of the Revised Statutes of Missouri of 1879, by adding a new section thereto, concerning the assessment and taxation of railroads," beg leave to report that they have considered the same and report it to the Senate, and ask to be discharged from further consideration of the subject.

House bill No. 670 was taken up, and Senator Edwards of St. Charles moved to commit the bill to the Committee on Banks and Corporations.

The ayes and noes being demanded, the motion was lost by the following vote:

AYES—Senators Allen, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Headlee, Hutt, Mabrey and Rouse—9.

NOES—Senators Bryant, Bland, Cabell, Cottey, Dobyns, Gottschalk, Heard, Lloyd, McMahan, Mackay, Morrisson, Pehle, Rogers and Stephens—14.

ABSENT—Senators Bradley, McGrath, Manistre, Naylor and Walker—5.

ABSENT ON LEAVE—Senators Byrns, Caldwell, Heaston, Jacobs, Manring and Perkins—6.

Senator Cottey moved to indefinitely postpone the bill.

The ayes and noes being demanded, the motion prevailed by the following vote:

AYES—Senators Bryant, Bland, Cabell, Cottey, Dungan, Edwards of St. Charles, Gottschalk, Heard, Lloyd, McGrath, Mackay, Morrison, Pehle, Rogers and Walker—15.

NOES—Senators Allen, DeArmond, Edwards of Lafayette, Headlee, Hutt, Mabrey, Rouse and Stephens—8.

ABSENT—Senators Bradley, Dobyns, McMahan, Manistre and Naylor—5

ABSENT ON LEAVE—Senators Byrns, Caldwell, Heaston, Jacobs, Manring and Perkins—6.

Senator Edwards of St. Charles submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 253, entitled "An act to amend article 1 of chapter 117, entitled 'Inspection of petroleum,'" beg leave to report that they have considered the same and recommend that it do pass with the following amendments:

The bill so reported, being House bill No. 253, entitled "An act amending article 1 of chapter 117, entitled 'Inspection of petroleum,'" was taken up, and the following amendment, offered by the committee, adopted:

Amend line 5, section 1, by striking out "4852a," and inserting "5852a," in lieu thereof.

The bill was then read third time and passed by the following vote:

AYES—Senators Allen, Bryant, Bland, Cabell, Cottey, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heard, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Pehle, Perkins, Rogers, Rouse and Stephens—21.

ABSENT—Senators DeArmond, Manistre, Morrisson, Naylor and Rogers—5.

ABSENT ON LEAVE—Bradley, Byrns, Caldwell, Heaston, Jacobs, Manring, Perkins and Walker—8.

The title of the bill was read and agreed to.

Senator Headlee moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Headlee submitted the following report from the Committee on Mining and Manufactures:

MR. PRESIDENT: Your Committee on Mining and Manufactures, to whom was referred House bill No. 683, entitled "An act to more fully protect miners in weights, and punish persons who weigh minerals for not giving correct statement of weights," beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported, being House bill No. 683, entitled "An act to more fully protect miners in weights, and punish persons who weigh minerals for not giving correct statement of weights," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bryant, Bland, Cabell, Cottey, Dobyns, Dungan, Edwards of Lafayette, Gottschalk, Headlee, Heard, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Morrisson, Pehle, Rogers, Rouse and Stephens—22.

ABSENT—Senators DeArmond, Edwards of St. Charles, Manistre, Naylor and Walker—5.

ABSENT ON LEAVE—Senators Bradley, Byrns, Caldwell, Heaston, Jacobs, Manring and Perkins—7.

The title of the bill was read and agreed to.

Senator Cottey moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Cottey submitted the following report from the Committee on Ways and Means:

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred House bill No. 388, entitled "An act to amend section 6662, chapter 145 of the Revised Statutes of the State of Missouri, entitled 'Of the assessment and collection of the revenue,'" beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported: being House bill No. 388, entitled "An act to amend section 6662, chapter 145 of the Revised Statutes of the State of Missouri, entitled 'Of the assessment and collection of the revenue,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bryant, Bland, Cabell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Hutt, Lloyd, McGrath, McMahan, Mabrey, Mackay, Morrisson, Pehle, Rogers, Rouse, Stephens and Walker—22.

ABSENT—Senators Gottschalk, Headlee, Heard and Naylor—4.

ABSENT ON LEAVE—Senators Bradley, Byrns, Caldwell, Heaston, Jacobs, Manistre, Manring and Perkins—8.

The title of the bill was read and agreed to.

Senator Cottey moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Cottey submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred House bill No. 449, entitled "An act to amend sections 6706 and 6707 of article 2, and section 6848 of article 6, and section 6853 of article 7, chapter 145 of the Revised Statutes, entitled 'Of the assessment and collection of the revenue,'" beg leave to report that they have considered the same, and recommend that it do pass.

The bill so reported, being House bill No. 449, entitled "An act to amend sections 6706 and 6707 of article 2, and section 6848 of article 6, and section 6853 of article 7, chapter 145 of the Revised Statutes of Missouri, relating to 'Of the assessment and collection of the revenue,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Bryant, Bland, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Heard, Heaston, Hutt, Lloyd, McMahan, Mabrey, Mackay, Morrisson, Pehle, Rogers, Rouse, Stephens and Walker—21.

ABSENT—Senators Cabell, Gottschalk, Headlee, McGrath and Naylor—6.

ABSENT ON LEAVE—Senators Bradley, Byrns, Caldwell, Heaston, Jacobs, Manistre, Manring and Perkins—8.

The emergency clause passed by the following vote:

AYES—Senators Allen, Bryant, Bland, Cabell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Headlee, Heard, Hutt, Lloyd, Mabrey, Mackey, Morrisson, Naylor, Pehle, Rogers, Rouse, Stephens and Walker—23.

ABSENT—Senators Gottschalk, McGrath and McMahan—3.

ABSENT ON LEAVE—Senators Bradley, Byrns, Caldwell, Heaston, Jacobs, Manistre, Manring and Perkins—8.

The title of the bill was read and agreed to.

Senator Cottey moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Morrisson submitted the following report from the Committee on Education, which was read :

MR. PRESIDENT: Your Committee on Education to whom was referred substitute for House bills Nos. 83 and 546, entitled "An act to

change the time of annual school meetings, by amending section 7029 of article 1, chapter 150, Revised Statutes, 1879," beg leave to report that they have considered the same, and ask leave to return the bill to the Senate and be discharged from further consideration of the subject.

Substitute for House bills Nos. 83 and 546, was taken up and indefinitely postponed.

Senator Dungan submitted the following report from the Committee on County Boundaries, which was read :

MR. PRESIDENT : Your Committee on County Boundaries, to whom was referred House bill No. 363, entitled "An act to amend section 5216, chapter 94 of the Revised Statutes, 'Of county boundaries,'" beg leave to report that they have considered the same, and recommend that it do not pass.

The bill so reported being House bill No. 363, was taken up and indefinitely postponed.

Senator Lloyd submitted the following report from the Committee on Internal Improvements :

MR. PRESIDENT : Your Committee on Internal Improvements, to whom was referred Senate bill No. 120, Senate bill No. 216, Senate bill No. 39 and Senate bill No. 210, beg leave to report that they have considered the same and ask to be relieved from the further consideration of the same.

The bills so reported being Senate bills No. 120, 216, 39 and 210, were taken up and indefinitely postponed.

Senator Mabrey presented the following communication which, by unanimous consent, was read and ordered to be spread on the records :
To the President, Senators, clerks and employes of the Senate of the 31st General Assembly :

Permit me, at our separation, to tender to each my kindest regards, and especially to our worthy, efficient and impartial presiding officer.

Hoping that our labors will be as useful as they have been pleasant, I bid you all good bye.

Hoping we will all meet again, I remain,

Respectfully yours,

H. F. CALDWELL.

Senator Rouse submitted the following report from the Committee on Privileges and Elections, which was read :

MR. PRESIDENT : Your Committee on Privileges and Elections, to whom was referred House bill No. 497, entitled "An act to amend sec-

tion 5493, chapter 101, of the Revised Statutes of Missouri," beg leave to report that they have considered the same, and a majority of the committee recommend that it do not pass.

The bill so reported, being House bill No. 497, was taken up and indefinitely postponed.

Senator DeArmond submitted the following report from the Committee on Judiciary :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 699, entitled "An act to amend section 1159, article 4, chapter 23, of the Revised Statutes, relating to judicial circuits," beg leave to report that they have considered the same and recommend that it do pass.

Senator Hutt offered the following resolution, which was read :

Resolved, That the courtesy, dignity, ability and impartiality which have characterized the official conduct of the President of the Senate, Lieut. Gov. R. A. Campbell during the present session of the General Assembly, have impressed the members of this body with the most profound respect and esteem for their presiding officer, and they hereby tender him their warmest wishes for his future welfare and happiness.

The resolution was adopted by the following vote :

AYES—Senators Allen, Bryant, Bland, Cabell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Headlee, Heard, Hutt, Lloyd, Mabrey, Mackay, Morrisson, Naylor, Pehle, Rogers, Rouse, Stephens and Walker—23.

ABSENT—Senators Gottschalk, McGrath and McMahan—3.

ABSENT ON LEAVE—Senators Bradley, Byrns, Caldwell, Heaston, Jacobs, Manistre, Manring and Perkins—8.

Senator Dobyns offered the following resolution, which was adopted :

Resolved, That the thanks of this body are hereby tendered the Secretary, together with his Assistant Secretary and clerical force, for the faithful, courteous and able manner in which they have discharged their respective duties.

Senator Lloyd submitted the following report from the Committee on Internal Improvements, which was read :

MR. PRESIDENT: Your Committee on Internal Improvements, to whom was referred House bill No. 273, entitled "An act to repeal an act entitled 'An act concerning street railroads in the city of St. Louis,' approved January 16, 1860," beg leave to report that they have considered the same, and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Internal Improvements, to whom was referred House bill No. 489, entitled "An act providing for the appointment of receivers to take charge of and manage the business of railroad companies in certain cases," beg leave to report that they have considered the same, and recommend that it do not pass.

The bills so reported, being House bills Nos. 273 and 489, were taken up, and indefinitely postponed.

The following message was received from the House of Representatives through Mr. Purdom, one of the clerks:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up, amended, and passed, Senate bill No. 92, entitled "An act to enable insurance companies, other than life, to surrender their special charters and accept in lieu thereof the provisions of the General Insurance Statutes."

In which the concurrence of the Senate is respectfully requested.

House bill No. 641 was taken up, and indefinitely postponed.

Senator Lloyd submitted the following report from the Committee on Internal Improvements, which was read:

MR. PRESIDENT: Your Committee on Internal Improvements, to whom was referred House bill No. 278, entitled "An act to amend section eight hundred and nine (809), article two (2), chapter twenty-one (21) of the Revised Statutes of Missouri, 'Of corporations,'" beg leave to report that they have considered the same, and recommend that it do not pass.

Senate bill No. 92, with House amendments was taken up, and made special order for 3½ P. M.

On motion of Senator Walker, the Senate adjourned.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Senator Hutt submitted the following reports from the Committee on Enrolled Bills, which were read:

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 129, entitled "An act

to repeal an act entitled 'An act to provide for the exercise of the right of voting by persons who have failed to register.'"

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 180, entitled "An act to amend section 2689, chapter 39 of the Revised Statutes of Missouri, 'Of homesteads.'"

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 41, entitled "An act to appropriate money to supply a deficiency in the appropriation for the support of the State government for the years 1881 and 1882."

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 73, entitled, "An act to appropriate money for the redemption of Union Military Bonds held for redemption by Donaldson & Fraley of St. Louis, Missouri, Daniel Baldrige of Sullivan county, J. C. Lindley of Dade county, Abe S. Scott of Boone county and C. E. Ilgenfritz of Pettis county, Missouri."

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 246, entitled "An act to relieve the Supreme Court from the necessity of preparing written opinions in certain cases."

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 50, entitled "An act to appropriate money and provide for the payment of the claim of the Rolla board of education."

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 236, entitled "An act to amend section 7631, article 1, chapter 164 of the Revised Statutes of Missouri, entitled 'Treasury department.'"

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 189, entitled "An act to provide for the medical treatment of insane criminals, and to appropriate money therefor."

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 167, entitled "An act concerning the liability of cities, towns and persons for damages to persons or property caused by riots."

The President announced that all other business would be suspended and directed the Secretary to read at length Senate bill No. 129, entitled "An act to repeal an act entitled 'An act to provide for the

exercise of the right of voting by persons who have failed to register," and that unless objection be made, he would sign the same to the end that it may become a law.

No objection being made, said bill was read at length by the Secretary, and the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto.

Said bill was immediately sent to the House of Representatives for the signature of the Speaker. Senate bill No. 129 having been signed by the President and the Secretary, was this day presented to the Governor for his approval.

The President announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No. 167, entitled "An act concerning the liability of cities, towns and persons for damages to persons or property caused by riots," and that unless objection be made, he would sign said bill, to the end that it may become a law.

No objections being made, the bill was read at length by the Secretary, and the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto.

Said bill was immediately sent to the House of Representatives for the signature of the Speaker. Senate bill No. 167 having been signed by the President and Speaker of the House, was this day presented to the Governor for his approval.

The President announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No. 139, entitled "An act to provide for the medical treatment of insane criminals, and to appropriate money therefor," and that unless objections be made, he would sign the same to the end that it may become a law.

No objections made, said bill was read at length by the Secretary, and the presiding officer in the presence of the Senate in open session, no other business intervening, affixed his signature thereto; said bill was immediately sent to the House of Representatives for the signature of the Speaker.

Senate bill No. 139, having been duly signed by the President of the Senate was this day presented to the Governor for his approval, by the Secretary.

The President announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No. 50, entitled "An act to appropriate money and provide for the pay-

ment of the claim of the Rolla board of education," and that unless objections be made he would sign the same to the end that it may become a law.

No objection being made, said bill was read at length by the Secretary, and the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto.

Said bill was immediately sent to the House of Representatives for the signature of the Speaker. Senate bill No. 50 having been signed by the President, was this day presented to the Governor for his approval.

The President announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No. 246, entitled "An act to relieve the Supreme Court from the necessity of preparing written opinions in certain cases," and that unless objections be made he would sign the same to the end that it may become a law.

No objections being made, said bill was read at length by the Secretary, and the President, in the presence of the Senate in open session, no other business intervening, affixed his signature thereto.

Said bill was immediately sent to the House of Representatives for the signature of the Speaker. Senate bill No. 246, having been signed by the President and the Secretary, was this day presented to the Governor for his approval.

The President then announced that all other business would be suspended, and directed Senate bill No. 73, entitled "An act to appropriate money for the redemption of Union military bonds held by Donaldson & Fraley, of St. Louis, Missouri; Daniel Baldrige, of Sullivan county; J.C. Lindley, of Dade county; Abe S. Scott, of Boone county, and O. E. Ilgenfritz, of Pettis county, Missouri," to be read at length, and that, unless objection be made, he would sign the same to the end that it may become a law.

The bill was read at length, no other business intervening, and no objections being made, the President, in presence of the Senate, in open session, signed said bill.

Said bill was immediately sent to the House of Representatives for the signature of the Speaker, and Senate bill No. 73 having been signed by the President of the Senate and the Speaker, was immediately sent to the Governor for his approval.

The President announced that all other business would be suspended, and directed Senate bill No. 41, entitled "An act to appropriate money for the support of the State Government for the years 1881 and 1882," to be read at length.

The bill was read at length, no other business intervening, and no objections being made, the President, in the presence of the Senate, in open session, signed said bill.

Said bill was immediately sent to the House of Representatives for the signature of the Speaker. Senate bill No. 41 having been signed by the President of the Senate and the Secretary, was immediately sent to the Governor for his approval.

Senate bill No. 236 was taken up and found truly enrolled and laid over informally.

The President announced that all other business would be suspended and directed House bill No. 736, entitled "An act to authorize and empower the fund commissioners to borrow \$150,000 to meet a casual deficiency in the revenue fund in the year 1881," to be read at length.

The bill was read at length, no other business intervening, and no objections being made, the President, in the presence of the Senate, in open session, signed said bill.

The President announced that all other business would be suspended, and directed House bill No. 79, entitled "An act entitled an act to provide for the giving of bond by ex officio collector of county revenue," to be read at length.

The bill was so read, no objections being made; the presiding officer, in the presence of the Senate, in open session, signed said bill, no other business being entertained.

The President announced that all other business would be suspended, and directed House bill No. 523, entitled "An act to amend section 1180, article 5, chapter 23 of the Revised Statutes of Missouri, 'Of courts of record,'" to be read at length.

The bill was so read, and no objections being made, the presiding officer, in the presence of the Senate, in open session, signed said bill, no other business being entertained.

The President announced that all other business would be suspended; and directed House bill No. 90, entitled "An act to amend section 1631 of article 8 of chapter 24 of the Revised Statutes of Missouri, concerning crimes and criminal procedure," to be read at length.

The bill was so read, and no objections being made, the presiding officer, in the presence of the Senate, in open session, signed said bill, no other business being entertained.

The President announced that all other business would be suspended, and directed House bill No. 204, entitled "An act for the re-

lief of the people of the county of Webster, by appropriating money to repair the damage done to the public buildings in said county by the cyclones of April 18, 1880," to be read at length.

The bill was so read, and no objections being made, the presiding officer, in the presence of the Senate, in open session, signed said bill, no other business being entertained.

The President announced that all other business would be suspended, and directed substitute for House bill No. 439, entitled "An act to amend section 6988 of chapter 148 of the Revised Statutes of Missouri, 'Of salaries,'" to be read at length.

The bill was so read, and no objections being made, the presiding officer, in the presence of the Senate, in open session, signed said bill, no other business being entertained.

The President announced that all other business would be suspended, and directed House bill No. 413 entitled "An act to amend section 1051, article 1, chapter 23 of the Revised Statutes, entitled 'Courts of record,'" to be read at length.

The bill was so read, and no objections being made, the presiding officer, in the presence of the Senate, in open session, signed said bill, no other business being entertained.

The President announced that all other business would be suspended, and directed House bill No. 286, entitled "An act to amend section 7495, article 11, chapter 162, Revised Statutes of Missouri, entitled 'Of township organization,' relating to roads and highways," to be read at length.

The bill was read at length by the Secretary, and no objection being made, the presiding officer, in the presence of the Senate, in open session, no other business intervening, signed said bill.

The President announced that all other business would be suspended, and directed House bill No. 669, entitled "An act to appropriate money for the deficiencies in the appropriations for the years 1879 and 1880, and to appropriate money for the payment of certain demands against the State, for the payment of which no appropriation has hitherto been made," to be read at length.

The bill was so read, and, no objections being made, the presiding officer, in the presence of the Senate, in open session, signed said bill, no other business being entertained.

The President announced that all other business would be suspended, and directed substitute for House bills Nos. 346 and 380, entitled "An act to amend section 1157, chapter 23, article 4 of the Revised Statutes of the State of Missouri, in relation to courts of record," to be read at length.

The bill was so read, and, no objections being made, the presiding officer, in the presence of the Senate, in open session, signed said bill, no other business being entertained.

The President announced that all other business would be suspended, and directed substitute for House bills Nos. 279 and 330, entitled "An act to amend section 7514, article 11 of chapter 162 of the Revised Statutes of the State of Missouri, relating to roads and highways under township organization," to be read at length.

The bill was so read, and no objections being made, the presiding officer, in the presence of the Senate, in open session, signed said bill, no other business being entertained.

Senator Dungan submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 462, entitled "An act to amend section 2865 of article 3 of chapter 44 of the Revised Statutes, entitled 'Of justices courts,'" beg leave to report that they have considered the same, and I am instructed by a majority of your committee to report the same back with the recommendation that it do not pass.

The president announced that all other business would be suspended and directed the secretary to read at length Senate bill No. 180, entitled "An act to amend section twenty-six hundred and eighty-nine (2689), chapter thirty-nine (39) of the Revised Statutes of Missouri, 'Of homesteads,'" and that unless objections be made, he would sign the same to the end that it may become a law.

No objection being made, said bill was read at length by the secretary, and the presiding officer, in the presence of the Senate in open session, no other business intervening, affixed his signature thereto. Said bill was immediately sent to the House of Representatives, for the signature of the Speaker.

Senate bill No. 180, having been signed by the President of the Senate, was immediately sent to to the Governor for his approval.

House bill No. 462 was taken up and indefinitely postponed.

Senator Edwards of St. Charles submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred substitute for House bill No. 232, entitled "An act creating and regulating the office of Marshal of criminal courts in all cities in this State having a population of over one hundred thousand inhabitants," beg leave to report that they have considered the same, and the majority recommend that it do not pass.

The bill so reported being substitute for House bill No. 232, was taken up and indefinitely postponed.

Senator Heard submitted the following reports from the Committee on Banks and Corporations, which were read :

MR. PRESIDENT: Your Committee on Banks and Corporations, to whom was referred Senate bill No. 128, entitled "An act to authorize and empower all cities containing one hundred thousand inhabitants or more to establish, maintain, regulate and control a system and a force of police, and to repeal all acts and parts of acts repugnant to and inconsistent with this act," beg to be discharged from further considering the same.

MR. PRESIDENT: Your Committee on Banks and Corporations, to whom was referred Senate bill No. 99, entitled "An act in relation to special taxes, providing for the recovery of special taxes paid under assessments made by authority of void laws or ordinances, and giving cities of over one hundred thousand inhabitants authority to assess and collect a tax to meet any deficiency caused by this act," beg leave to report that they have considered the same, and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Banks and Corporations, to whom was referred Senate bill No. 181, entitled "An act to amend section 912, chapter 21 of the Revised Statutes of the State of Missouri, 'Of private corporations,'" beg leave to report that they have considered the same, and recommend that it do pass.

The bills so reported being Senate bills Nos. 128, 99 and 181, were taken up and indefinitely postponed.

Senator DeArmond submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred substitute for House bill No. 60, entitled "An act to amend sections (591) five hundred and ninety-one and (592) five hundred and and ninty-two, article one (1), chapter thirteen (13) of the Revised Statutes of Missouri, 'Of official bonds,'" beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment.

Substitute for House bill No. 60, entitled "An act to repeal sections 591 and 592 of the Revised Statutes of Missouri, entitled 'Of official bonds,' and insert in lieu thereof a new section in relation thereto," was taken up and the following amendment reported by the committee was adopted:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following: Section 1. Section five hundred and

ninety-one of the Revised Statutes of Missouri is hereby amended by inserting the word "and" between "kind" and "location" in the sixth line of said section, and by striking out the words "and aggregate value of his property with the amount and character of incumbrances thereon, the extent of his liabilities, if any, whether or not he is the head of a family" in the sixth, seventh and eighth lines of said section, and inserting in lieu thereof the following: "of his property, and that he is worth a certain sum, therein to be stated, over and above all liabilities and exemptions," so that said section, as amended, shall read as follows:

Section 591. No official bond, in a penal sum of twenty-five thousand dollars or more, shall be approved until after the sureties therein shall subscribe and swear to a statement to be duly attested and endorsed on or attached to the bond, setting forth, in full, the name, place of residence and occupation of each surety, the kind and location of his property, and that he is worth a certain sum, therein to be stated, over and above all liabilities and exemptions, and such other particulars as may be required by the officer or court whose approval of such bond is sought or required.

The bill was then read third time and passed by the following vote:

AYES—Senators Allen, Bryant, Bland, Cabell, Cottey, DeArmond, Dobyons, Dungan, Edwards of Lafayette, Edwards of St. Charles, Heard, Hutt, McGrath, Mabrey, Mackay, Morrisson, Naylor, Rogers and Rouse—19.

NO—Senator Stephens.

ABSENT—Senators Byrns, Gottschalk, Lloyd, Manistre and Walker—5.

ABSENT ON LEAVE—Senators Bradley, Caldwell, Headlee, Heaston, Jacobs, McMahan, Manring, Pehle and Perkins—9.

The title of the bill was read, and,

Senator DeArmond offered the following amendment, which was agreed to:

Amend the title by striking out "and (592) five hundred and ninety-two."

The title, as amended, was agreed to.

Senator DeArmond moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

The President announced that all other business would be suspended, and directed the Secretary to read at length, House joint and concurrent resolution No. 29, entitled "Joint and concurrent resolu-

tion extending to the people of Ireland the sympathy of the people of Missouri."

The bill was read at length, no other business intervening, and no objections being made, the President in the presence of the Senate in open session, signed said bill.

Substitute for Senate bill No. 92, entitled "An act to enable insurance companies other than life to surrender their special charters and accept in lieu thereof the provisions of the General Insurance Statutes," was taken up, and the following House amendment:

Amend section 9 of Senate bill No. 92 by adding thereto the following proviso: *Providd, however*, that any insurance company may be organized under the provisions of this act"—

The same having been printed for the use of the Senate, was read first and second times and concurred in by the following vote:

AYES—Senators Bryant, Bland, Cabell, Cottey, DeArmond, Dobyns, Dungan, Edwards of St. Charles, Headlee, Heard, Hutt, McGrath, Mabrey, Mackay, Morrisson, Naylor, Rogers, Rouse, Stephens and Walker—20.

NO—Senator Allen.

ABSENT—Senators Edwards of Lafayette, Gottschalk, Lloyd, Manistre and Pehle—5.

ABSENT ON LEAVE—Senators Bradley, Byrns, Caldwell, Heaston, Jacobs, McMahan, Manring and Perkins—8.

Senator Rogers moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; the latter motion prevailed.

The following message was received from his excellency, the Governor, through Mr. Farr, his Private Secretary:

EXECUTIVE OFFICE, }
JEFFERSON CITY, Mo., March 26, 1881. }

SIR: I return to the Senate with my approval endorsed thereon, bills of the following titles:

"An act to appropriate money for the redemption of Union Military bonds, held for redemption by Donaldson & Faley of St. Louis, Missouri, Daniel Baldrige of Sullivan county, J. C. Lindley of Dade county, Abe S. Scott of Boone county and C. E. Ilgenfritz of Pettis county, Missouri."

"An act to appropriate money to supply a deficiency in the appropriation for the support of the State government for the years 1881 and 1882."

"An act to repeal an act entitled 'An act to provide for the exercise of the right of voting by persons who have failed to register.'"

"An act concerning the liability of cities, towns and persons for damages to persons or property caused by riots."

"An act to provide for the medical treatment of insane criminals and to appropriate money therefor."

"An act to relieve the Supreme Court from the necessity of preparing written opinions in certain cases."

Very respectfully,

THOS. T. ORITTENDEN.

HON. R. A. CAMPBELL, President of the Senate.

Senator Bryant submitted the following report from Committee on Senatorial and Representative Apportionment, which was read :

MR. PRESIDENT: Your Committee on Senatorial and Representative apportionment, to whom was referred Senate bill No. 253, entitled "An act to apportion representatives and to divide the State into senatorial districts," beg leave to report that they have considered the same and recommend that it do not pass.

Senate bill No. 253 was taken up, and indefinitely postponed.

Senate bill No. 150, entitled "An act to amend section eight hundred and six (806), article two (2), chapter twenty-one (21) of the Revised Statutes, entitled 'Of private corporations,'" was taken up, and the following House amendment was read :

Amend section 1 by striking out all words after the word "county," in line twenty-one (21), of printed bill, and by inserting in lieu thereof the following, to-wit: "And said corporation shall also be liable for all damages which any person may hereafter sustain at such crossing when such bell shall not be rung or such whistle sounded as required by this section: *Provided, however,* that nothing herein contained shall preclude the corporation sued from showing that the failure to ring such bell or sound such whistle was not the cause of such injury."

The amendment was concurred in by the following vote :

AYES—Senators Allen, Bland, Cabell, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Heard, Hutt, McGrath, Mabrey, Mackay, Morrisson, Pehle, Rouse, Stephens and Walker—19.

NO—Senator Rogers.

ABSENT—Senators Bryant, Gottschalk, Lloyd and Naylor—4.

ABSENT ON LEAVE—Senators Bradley, Byrns, Caldwell, Headlee, Heaston, Jacobs, McMahan, Manistre, Manring and Perkins—10.

Senator Rouse moved to reconsider the vote by which the amendment was concurred in, and to lay the motion to reconsider on the table; the latter motion prevailed.

The President announced that all other business would be suspended, and directed the Secretary to read at length substitute for House bill No. 342, entitled "An act to amend section 7049 of the Revised Statutes of Missouri of 1879, relating to school enumerations.

The bill was read at length, no other business intervening, and no objection being made, the President, in the presence of the Senate, in open session, signed said bill.

The President announced that all other business would be suspended, and directed the Secretary to read at length substitute for House bill No. 354, entitled "An act to amend section 1160, chapter 23, article 4 of the Revised Statutes, entitled 'Circuit courts.'"

The bill was read at length, no other business intervening, and no objections being made, the President, in the presence of the Senate, in open session, signed said bill.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 544, entitled "An act to amend section 4175, chapter 78, article — of the Revised Statutes of the State of Missouri, relating to auctioneers."

The bill was read at length, no other business intervening, and no objections being made, the President, in the presence of the Senate, in open session, signed said bill.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 312, entitled "An act to amend section 7241 of chapter 156, article 1, title, 'State University.'"

The bill was read at length, no other business intervening, and no objections being made, the President, in the presence of the Senate in open session, signed said bill.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 494, entitled "An act to amend section 7044, article 1, chapter 150, Revised Statutes of Missouri, in relation to the use of school houses."

The bill was read at length, no other business intervening, and no objections being made, the President, in the presence of the Senate, in open session, signed said bill.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 548, entitled "An act to repeal sections 1603 and 1604 of article 8, chapter 24 of the Revised Statutes of the State of Missouri, 1879. 'Of offenses against public morals and decency, or the public police and miscellaneous offenses.'"

The bill was read at length, no other business intervening, and no objections being made, the President, in the presence of the Senate, in open session, signed said bill.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 393, entitled "An act to amend an act entitled 'An act to authorize counties to hold elections for the purpose of incurring indebtedness above the amount of the income and revenue for any one year, and to provide for the issuing and sale of bonds to cover the indebtedness so created,' approved March 19, 1879."

The bill was read at length, no other business intervening, and no objections being made, the President, in the presence of the Senate, in open session, signed said bill.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 173, entitled "An act to provide for the payment of wages of labor in the lawful money of the United States."

The bill was read at length, no other business intervening, and no objections being made, the President, in the presence of the Senate, in open session, signed said bill.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 427, entitled "An act to provide for working and repairing public roads in counties having an assessed valuation of fifteen million dollars or more, and more than one hundred and fifty miles of macadamized and graveled roads."

The bill was read at length, no other business intervening, and no objections being made, the President, in the presence of the Senate, in open session, signed said bill.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 677, entitled "An act to amend sections 6948 and 6953, chapter 147 of the Revised Statutes of the State of Missouri, entitled roads and highways."

The bill was read at length, no other business intervening, and no objections being made, the President, in the presence of the Senate, in open session, signed said bill.

Senator McGrath offered the following resolution :

Resolved, That a committee of three be appointed by the Chair to confer with the Secretary and report to the Senate on Monday, what time and clerical force in their judgment may be necessary to com-

plete and perfect the records of the Senate during the present session ; also the amount of money required to defray the expense incurred.

Which was read first and second times and adopted.

The President appointed as such committee Senators McGrath, Walker and Edwards of Lafayette.

Senator Hutt submitted the following reports from the Committee on Enrolled Bills, which were read :

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 156, entitled "An act to repeal section 116, article 6, chapter 1 of the Revised Statutes of the State of Missouri, in relation to sales of personal property in administration, and enacting in lieu thereof a new section."

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 223, entitled "An act to amend section 1486, chapter 24, article 6 of the Revised Statutes of Missouri, in relation to crimes and criminal procedure."

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 126, entitled "An act to amend section 3660, article 7 of chapter 59 of the Revised Statutes of Missouri, entitled 'Of practice in civil cases.'"

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 235, entitled "An act to appropriate money for payment of an unpaid balance of the salary of P. H. Edwards, formerly judge of the 14th judicial circuit of the State of Missouri."

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate joint and concurrent resolution No. 14, urging Congress to provide for a survey and preparation of sectional and schedule maps of the swamp and overflowed lands in Southeast Missouri and Northeastern Arkansas."

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 112, entitled "An act to appropriate money for the completion of the Normal School building of the second district at Warrensburg."

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled joint and concurrent resolution No. 17, instructing our Senators and requesting our Representatives in Congress to use all means in their representative capacity to secure the appropriation of twenty-five thousand dollars for the purpose of improving Grand river and reclaiming the swamp lands lying along said river."

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 203, entitled "An act in relation to criminal procedure in the city of St. Louis, and to repeal sections 18 and 19 of chapter 2 of the Appendix of the Revised Statutes of Missouri, concerning the criminal court."

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 240, entitled "An act to amend section 3132 of chapter 46 of the Revised Statutes of Missouri, entitled 'Of laws.'"

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 169, entitled "An act to amend section 790, chapter 21, article 2 of the Revised Statutes of Missouri, entitled 'Railroad companies.'"

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled substitute for Senate bill No. 92, entitled "An act to enable insurance companies other than life to surrender their special charters and accept in lieu thereof the provisions of the general insurance statutes."

The following message was received from the House of Representatives through Mr. Purdom, one of the clerks:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed Senate bill No. 217, entitled "An act to appropriate money for the services of Jas. S. Rollins as a member of the General Assembly of the State of Missouri."

The President announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No. 156, entitled "An act to repeal section 116, article 6, chapter 1 of the Revised Statutes of the State of Missouri, in relation to sales of personal property in administration, and enacting in lieu thereof a new section," and that unless objections be made he would sign the same to the end that it may become a law.

No objections being made said bill was read at length by the Secretary and the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto.

Said bill was immediately sent to the House of Representatives for the signature of the Speaker.

Senate bill No. 156 having been signed by the President of the Senate and the Secretary, was immediately presented to Governor for his approval.

The President announced that all other business would be sus-

pending, and directed the Secretary to read at length Senate bill No. 223, entitled "An act to amend section 1486, chapter 24, article 6, of the Revised Statutes, in relation to 'Crimes and criminal procedure,'" and that unless objections be made, he would sign the same to the end that it may become a law.

No objections being made, said bill was read at length by the Secretary, and the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto.

Said bill was immediately sent to the House of Representatives for the signature of the Speaker, Senate bill No. 223, having been signed by the President of the Senate, was immediately sent to the Governor for his approval.

The President announced that all other business would be suspended and directed the Secretary to read at length Senate bill No. 126, entitled "An act to amend section 3660, article 7 of chapter 59 of the Revised Statutes, entitled 'Of practice in civil cases,'" and that unless objections be made, he would sign the same to the end that it may become a law.

No objections being made, said bill was read a length by the Secretary, and the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto.

Said bill was immediately sent to the House of Representatives signature of the Speaker. Senate bill No. 126 having been signed by the President of the Senate and the Secretary, was immediately presented to the Governor for his approval.

Senator Hutt submitted the following report from the Committee on Enrolled Bills, which was read:

MR. PRESIDENT: Your Committee on Enrolled Bills having carefully examined and find truly enrolled Senate bill No. 162, entitled "An act in relation to set-off," beg leave to report that the same has been examined and found duly enrolled.

The President announced, that all other business would be suspended and directed the Secretary to read at length Senate joint and concurrent resolution No. 14, entitled "Joint and concurrent resolution urging Congress to provide for a survey and preparation of sectional and schedule maps of the swamp and overflowed lands in southeast Missouri and northeastern Arkansas," and that unless objections be made he would sign the same to the end that it may become a law.

No objections being made, said bill was read at length by the

by the Secretary, and the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto.

Said bill was immediately sent to the House of Representatives for the signature of the Speaker. Senate joint and concurrent resolution No. 14 having been signed by the President of the Senate and the Speaker of the House, was this day presented to the Governor for his approval.

The President announced that all other business would be suspended and directed the Secretary to read at length substitute for Senate bill No. 235, entitled "An act to appropriate money for payment of an unpaid balance of the salary of P. H. Edwards, formerly judge of the 14th judicial circuit of the State of Missouri," and that unless objections be made, he would sign the same that it may become a law.

No objections being made, said bill was read at length by the Secretary, and the presiding officer, in the presence of the Senate in open session, no other business intervening, affixed his signature thereto.

Said bill was immediately sent to the House of Representatives for the signature of the Speaker. Substitute for Senate bill No. 235 having been signed by the President of the Senate and the Speaker of the House, was this day presented to the Governor for his approval.

The President announced that all other business would be suspended and directed the Secretary to read at length substitute for Senate bill No. 112, entitled "An act to appropriate money for the completion of the Normal school building of the second district at Warrensburg," and that unless objections be made, he would sign the same to the end that it may become a law.

No objections being made, said bill was read at length by the Secretary, and the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto.

Said bill was immediately sent to the House of Representatives for the signature of the Speaker. Senate bill No. 112 having been signed by the President of the Senate and the Secretary, was this day presented to the Governor for his approval.

The President announced that all other business would be suspended and directed the Secretary to read at length Senate joint and concurrent resolution No. 17, entitled "Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to use all means in their representative capacity to secure the

appropriation of \$25,000.00 for the purpose of improving Grand river, and reclaiming the swamp lands lying along said river," and that unless objections be made he would sign the same, to the end that it may become a law.

No objections being made, said bill was read at length by the Secretary, and the presiding officer, in the presence of the Senate in open session, no other business intervening, affixed his signature thereto.

Said bill was immediately sent to the House of Representatives for the signature of the Speaker. Senate joint and concurrent resolution No. 17 having been signed by the President of the Senate and the Secretary, was this day presented to the Governor for his approval.

The President announced that all other business would be suspended and directed the Secretary to read at length Senate bill No. 203, entitled "An act in relation to criminal procedure in the city of St. Louis, and to repeal sections 18 and 19 of chapter 2 of the appendix of the Revised Statutes of Missouri, concerning 'The criminal court,'" and that unless objections be made he would sign the same, to the end that it may become a law.

No objections being made, said bill was read at length by the Secretary, and the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto.

Said bill was immediately sent to the House of Representatives for the signature of the Speaker. Senate bill No. 203 having been signed by the President of the Senate and the Secretary, was this day presented to the Governor for his approval.

The President announced that all other business would be suspended and directed the Secretary to read at length Senate bill No. 240, entitled "An act to amend section 3132 of chapter 46 of the Revised Statutes of Missouri, entitled 'Of laws,'" and that unless objections be made he would sign the same, to the end that it may become a law.

No objections being made, said bill was read at length by the Secretary, and the presiding officer, in the presence of the Senate in open session, no other business intervening, affixed his signature thereto.

Said bill was immediately sent to the House of Representatives for the signature of the Speaker. Senate bill No. 240 having been signed by the President of the Senate and the Secretary, was this day presented to the Governor for his approval.

The President announced that all other business would be suspended and directed the Secretary to read at length Senate bill No. 169, entitled "An act to amend section seven hundred and ninety, chapter 21, article 2 of the Revised Statutes of the State of Missouri, entitled 'Railroad companies,'" and that unless objections be made, he would sign the same to the end that it may become a law.

No objections being made, said bill was read at length by the Secretary, and the presiding officer, in the presence of the Senate in open session, no other business intervening, affixed his signature thereto.

Said bill was immediately sent to the House of Representatives for the signature of the Speaker. Senate bill No. 169 having been signed by the President of the Senate and the Secretary, was this day presented to the Governor for his approval.

The President announced that all other business would be suspended, and directed the Secretary to read at length substitute for Senate bill No. 92, entitled "An act to enable insurance companies other than life to surrender their special charters and accept in lieu thereof the provisions of the general insurance statutes," and that unless objection be made, he would sign the same to the end that it may become a law.

No objection being made, said bill was read at length by the Secretary, and the presiding officer, in the presence of the Senate, in open session, no other business intervening, affixed his signature thereto.

Said bill was immediately sent to the House of Representatives for the signature of the Speaker.

Substitute for Senate bill No. 92, having been signed by the President of the Senate and the Secretary, was this day presented to the Governor for his approval.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 318, entitled "An act to amend section 1574, article 8, chapter 24 of the Revised Statutes, Of putting dead animals in wells, &c."

The bill was read at length, no other business intervening, and no objections being made, the President, in the presence of the Senate, in open session, signed said bill.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 719, entitled "An act to provide for the disposition of money which may be paid into the State Treasury in satisfaction of bonds issued by the State to any company or corporation, and to appropriate said money."

The bill was read at length, no other business intervening, and no objection being made, the President, in the presence of the Senate, in open session, signed said bill.

The President announced that all other business would be suspended, and directed the Secretary to read at length substitute for House bills Nos. 176 and 234, entitled "An act to repeal sections 5426, 5427, 5428, 5429, 5430, 5431, 5332 and 5433, chapter 97, Revised Statutes of Missouri, 'Of dogs.'"

The bill was read at length, no other business intervening, and no objection being made, the President, in the presence of the Senate, in open session, signed said bill.

Senator Lloyd granted leave of absence the balance of the session.

Senator Headlee submitted the following report from the Committee on Internal Improvements, which was read:

MR. PRESIDENT: Your Committee on Internal Improvements to whom was referred substitute for House bill No. 142, entitled "An act to amend section 819, article 2 of chapter 21 of the Revised Statutes of Missouri, in relation to railroad companies, transfer, switches," beg leave to report that they have considered the same and recommend that it do not pass.

The bill so reported being substitute for House bill No. 142, was taken up and indefinitely postponed.

Senator Headlee submitted the following report from the Committee on Internal Improvements:

MR. PRESIDENT: Your Committee on Internal Improvements to whom was referred substitute for House bill No. 479, entitled "An act to prevent railroad companies from pooling or dividing their earnings and provide a punishment thereof," beg leave to report that they have considered the same, and recommend that it do not pass.

The bill so reported being substitute for House bill No. 479, was taken up and indefinitely postponed.

Senator Headlee submitted the following report from the Committee on Internal Improvements:

MR. PRESIDENT: Your Committee on Internal Improvements to whom was referred House bill No. 715, entitled "An act to repeal section 834 of article 3, chapter 21 of Revised Statutes of Missouri of 1879, entitled 'Of railroad classification—charges—commissioners,' and insert a new section in lieu thereof," beg leave to report that they have considered the same and recommend that it do not pass.

The bill so reported, being House bill No. 715, was taken up and indefinitely postponed.

Senator Dobyns offered the following resolution, which was adopted :

Resolved, That the thanks of the Senate be and they are hereby tendered Hon. T. J. O. Morrisson, President *pro tem.*, for the able, impartial and dignified manner in which he has presided over its deliberations whenever called upon, and that his uniform courtesy towards its members will ever be held in grateful remembrance by them.

House bill No. 636 was taken up, and on motion of Senator Dobyns, indefinitely postponed.

Senator Cottey submitted the following resolution, which was adopted :

Resolved, That the thanks of the Senate are due and are hereby tendered to the chairmen of the Committee on Engrossed and Enrolled Bills, for the very prompt and efficient manner in which they have discharged the laborious duties that have devolved upon them during the present session.

Senator Hutt offered the following resolution, which was adopted :

WHEREAS, The Chairman of the Committee on Enrolled Bills, found it necessary to employ three assistant enrolling clerks; and

WHEREAS, He did, on the 16th day of March, 1881, employ as such clerks, W. B. Starke, W. G. McCarty and Lula Musgrove; therefore, be it

Resolved, That the Committee on Accounts be authorized and requested to issue pay certificates to each of said assistant clerks from the said 16th day of March to the 28th day of same month, both inclusive, at the rate of \$3.50 each per day, out of the contingent fund of the 31st General Assembly.

Senator Heard submitted the following report from the Committee on Banks and Corporations, which was read :

MR. PRESIDENT: Your Committee on Banks and Corporations, to whom was referred House bill No. 244, entitled "An act to amend section eight hundred and six (806) of chapter twenty-one (21) of article two (2), Revised Statutes of Missouri, concerning corporations," beg leave to report that they have considered the same, and recommend that it do not pass.

The bill so reported, being House bill No. 244, was taken up and indefinitely postponed.

On motion of Senator Edwards of St. Charles, the Senate took a recess until 7½ P. M.

EVENING SESSION.

The Senate met pursuant to recess taken.

The President in the chair.

A quorum present.

The following message was received from the Governor through his Private Secretary, Mr. Farr.

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, March 26, 1881. }

SIR: I return to the Senate, without my approval, Senate No. (236) two hundred and thirty-six, for the following reasons: To invest the Fund Commissioners with the power to purchase or deal in the county bonds of this State, with any money that may be in the sinking fund would, in my opinion, place a power in their hands dangerous to the credit of the State.

Very respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, President of the Senate.

Which was read, and on motion, the bill so returned, being Senate bill No. 236, was taken up, and the question being, "Shall the bill pass, the objections of the Governor thereto notwithstanding?" the roll of the Senate was called, and the bill failed to pass by the following vote:

AYES—None.

NOES—Senators Allen, Bryant, Bland, Cottey, DeArmond, Dobyns, Dungan, Edwards of Lafayette, Edwards of St. Charles, Headlee, Heard, Hutt, McGrath, Mabrey, Morrisson, Naylor, Rogers, Rouse and Walker—19.

ABSENT—Senators Cabell, Gottschalk, Mackay, Manistre and Stephens—5.

ABSENT ON LEAVE—Senators Bradley, Byrns, Caldwell, Heaston, Jacobs, Lloyd, McMahan, Manring, Pehle and Perkins—10.

The following message was received from the House of Representatives through Mr. Purdom, one of the clerks:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up House bill No. 253, entitled "An act to amend article 1 of chapter 117, entitled 'Inspection of petroleum,'" and concurred in Senate amendment thereto, as follows:

Amend line 5, section 1, by striking out "4852a" and inserting "5852a" in lieu thereof.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 728, entitled "An act to define and construe the fourth paragraph of section 3489 of article four (4) of chapter fifty-nine (59) of the Revised Statutes, entitled 'Of the manner of commencing suits and the service of notices,' of practice in civil cases," and that unless objection be made he would sign to the same to the end that it might become a law.

Said bill was thereupon read at length by the Secretary of the Senate, in the presence of the Senate, in open session, and no other business intervening, and no objection being made, the presiding officer, affixed his signature thereto.

The President announced that all other business would be suspended and directed the Secretary to read at length House bill No. 459, entitled "An act to regulate the sale of medicines and poisons by druggists and pharamacists," and that unless objection be made he would sign the same to the end that it might become a law.

The bill was read at length, no other business intervening, and no objection being made, the President, in the presence of the Senate, in open session signed said bill.

The President announced that all other business would be suspended and directed that substitute for House bills Nos. 311 and 440, entitled "An act to amend section 6785 of article 4 of chapter 145 of the Revised Statutes of the State of Missouri of 1879, entitled 'Settlements of collectors,'" be read at length, and that unless objection be made he would sign the same to the end that it might become a law.

Said bill was thereupon read at length by the Secretary, in the presence of the Senate, in open session, no other business intervening, and there being no objection interposed, the President affixed his signature thereto.

Senator Dobyms submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 159, entitled "An act to repeal section three thousand four hundred and sixty-eight (3468), article one (1), chapter fifty-nine (59) of the Revised Statutes of Missouri, 'Of practice in civil

cases,' and enact a new section in lieu thereof," beg leave to report that they have considered the same, and I am instructed by a majority of your committee to report the same back with the recommendation that it do not pass.

The bill so reported, being House bill No. 159, was taken up, and on motion, laid over informally.

Senator Cabell, from the Committee on Immigration, returned Senate bills Nos. 31 and 87, with the recommendation that they do not pass, and on motion, said bills were laid on the table.

Senator Hutt submitted the following reports from the Committee on Enrolled Bills, which were read :

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 217, entitled "An act to appropriate money for the payment of the services of James S. Rollins as a member of the General Assembly the State of Missouri."

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 150, entitled "An act to amend section eight hundred and six (806), article two (2) chapter twenty-one (21) of the Revised Statutes, entitled 'Of private corporations.'"

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 227, entitled "An act to amend section 5607, chapter 103 of the Revised Statutes of Missouri, entitled 'Of fees.'"

The President announced that all other business would be suspended, and directed that Senate bill No. 227, entitled "An act to amend section 5607, chapter 103 of the Revised Statutes of Missouri, entitled 'Of fees,'" be read at length, and that unless objection be made, he would sign the same, to the end that it might become a law.

Said bill was thereupon read at length by the Secretary in the presence of the Senate in open session, no other business intervening, and no objection being made, the President affixed his signature thereto.

Said bill was immediately sent to the House of Representatives for the signature of the Speaker, and having been signed by the presiding officers of both houses, was this day presented to the Governor for his approval.

The President directed all business to be suspended, and directed that Senate bill No. 150, entitled "An act to amend section eight hundred and six (806), article two (2) chapter twenty-one (21) of the

Revised Statutes, entitled 'Of private corporations,' be read at length, and that unless objection be made, he would sign the same, to the end that it might become a law.

Said bill was thereupon read at length by the Secretary in the presence of the Senate in open session, no other business intervening, and no objection being made, the President affixed his signature thereto.

Said bill was immediately taken to the House of Representatives, and signed by the Speaker, and having been signed by the presiding officers of both houses, was this day presented to the Governor for his approval.

The President announced that all other business would be suspended, and directed that Senate bill No. 217, entitled "An act to appropriate money for the payment of the services of James S. Rollins as a member of the General Assembly of the State of Missouri," be read at length, and that unless objection be made, he would sign the same to the end that it might become a law.

Said bill was thereupon read at length by the Secretary in the presence of the Senate in open session, no other business intervening, and no objection being made, the President affixed his signature thereto.

Said bill was then immediately sent to the House of Representatives for the signature of the Speaker thereof, and having been signed by the presiding officers of the two houses, was this day presented to the Governor for his approval.

The following messages were received from the Governor through his private Secretary, Mr. Farr, which were read :

EXECUTIVE OFFICE, }
JEFFERSON CITY, MO., March 26, 1881. }

SIR: I return to the Senate with my approval endorsed thereon, bills of the following titles :

"An act to appropriate money for the completion of the Normal School Building of the Second District at Warrensburg."

"An act to amend section 3132 of chapter 46 of the Revised Statutes of Missouri, entitled 'Of laws.'"

"An act to enable insurance companies other than life to surrender their special charters and accept in lieu thereof the provisions of the General Insurance Statutes."

"An act to amend section 790, chapter 21, article 2 of the Revised Statutes of Missouri, entitled 'Railroad companies.'"

"An act to repeal section 116, article 6, chapter 1 of the Revised

Statutes of the State of Missouri, in relation to sales of personal property in administration, and enacting in lieu thereof a new section."

"An act to amend section 3660, article 7 of chapter 59 of the Revised Statutes of Missouri, entitled 'Of practice in civil cases.'"

"An act to amend section 1486, chapter 24, article 6 of the Revised Statutes of Missouri, in relation to crimes and criminal procedure."

"An act in relation to criminal procedure in the city of St. Louis, and to repeal sections 18 and 19 of chapter 2 of the appendix of the Revised Statutes of Missouri, concerning the criminal court."

"An act to appropriate money for payment of an unpaid balance of the salary of P. H. Edwards, formerly judge of the 14th judicial circuit of the State of Missouri."

And a joint and concurrent resolution of the following title:

"Joint and concurrent resolution urging Congress to provide for a survey and preparation of sectional and schedule maps of the swamp and overflowed lands in southeast Missouri, and northeastern Arkansas."

Very respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, President of the Senate.

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, }
March 26, 1881. }

SIR: I return to the Senate with my approval endorsed thereon, a bills of the following titles:

"An act to amend section 5607, chapter 103 of the Revised Statutes of Missouri, entitled 'Of fees.'"

"An act to appropriate money for the payment of the services of James S. Rollins as a member of the General Assembly of the State of Missouri."

"An act to amend section 806, article 2, chapter 21 of the Revised Statutes, entitled 'Of private corporations.'"

Very respectfully,

THOS. T. CRITTENDEN.

HON. ROB'T A. CAMPBELL, President of the Senate.

The following message was received from the House of Representatives through Mr. Hannay, Assistant Chief Clerk:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up, and passed Senate bill No. 162, entitled "An act in relation to set-off."

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up substitute for House bill No. 60, enti-

tled "An act to amend sections 591 and 592 of the Revised Statutes of Missouri, entitled 'Of official bonds,' " and refused to concur in Senate amendment thereto, as follows:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section five hundred and ninety-one of the Revised Statutes of Missouri is hereby amended by inserting the word "and" between "kind" and "location" in the sixth line of said section, and by striking out the words "and aggregate value of his property, with the amount and character of the incumbrances thereon, the extent of his liabilities, if any, whether or not he is the head of a family" in the sixth, seventh and eighth lines of said section, and inserting in lieu thereof the following: "Of his property, and that he is worth a certain sum, therein to be stated, over and above all liabilities and exemptions," so that said section, as amended, shall read as follows:

Sec. 591. No official bond in a penal sum of twenty-five thousand dollars or more shall be approved until after the sureties therein shall subscribe and swear to a statement, to be duly attested and endorsed on or attached to the bond, setting forth in full the name, place of residence and occupation of each surety, the kind and location of his property, and that he is worth a certain sum, therein to be stated, over and above all liabilities and exemptions, and such other particulars as may be required by the officer or court whose approval such bond is sought or required.

Amend the title by striking out "and (592) five hundred and ninety-two."

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up substitute for House bill No. 325, entitled "An act to amend section 1182, article 5, chapter 23, Revised Statutes of Missouri," and concurred in Senate amendment thereto, as follows:

Amend by striking out the following wherever found in the bill: "The parties in interest shall proceed at once to select a qualified attorney, who shall possess all the necessary qualifications of a probate judge and be subject to none of the objections which would prevent him acting as special judge in the cause for which he is selected, and such attorney shall proceed at once to act as probate judge in such cause," and inserting in lieu thereof the following: "The parties in interest may, in writing, to be entered of record and filed with the papers in the cause, select a licensed attorney-at-law, a citizen of the county, subject to none of the objections which would prevent him from acting as special judge in the cause, to act as special judge, who shall take the

same oath as a probate judge, and shall act as probate judge in said cause."

Senator Rogers submitted the following report from the Special Committee of the St. Louis Delegation, which was read:

MR. PRESIDENT: Your Special Committee of St. Louis Delegation, to whom was referred Senate bill No. 242, entitled "An act to repeal an act entitled an act concerning the publication of judicial notices in cities having more than one hundred thousand inhabitants," beg leave to report that they have considered the same, and recommend that it do not pass.

The bill so reported, being Senate bill No. 242, was taken up, and, on motion of Senator Rogers, indefinitely postponed.

On motion of Senator Rogers the Senate took a recess until 8:30 o'clock A. M., next Monday.

MONDAY MORNING, MARCH 28, 1881.

The Senate met at 8:30 A. M., pursuant to the recess taken.

The President in the chair.

A quorum present.

Senator Hutt submitted the following report from the Committee on Enrolled Bills, which was read:

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 162, entitled "An act in relation to set off."

The President announced that all other business would be suspended and directed that Senate bill No. 162, entitled "An act in relation to set off," be read at length and that unless objection be made he would sign the same to the end that it might become a law.

Said bill was thereupon read at length by the Secretary in the presence of the Senate, in open session, no other business intervening, and there being no objection interposed, the President affixed his signature thereto.

Said bill was immediately taken to the House of Representatives for the signature of the Speaker thereof, and having been signed by

the presiding officers of both Houses, was this day presented to the Governor for his approval.

The following messages were received from the House of Representative through Mr. Purdom, one of the clerks:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up, amended and passed Senate bill No. 247, entitled "An act to provide for the indexing of the minutes of judges of courts of record in certain cases," in which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up substitute for House bill No. 387, entitled "An act to authorize and enable the respective county courts of the counties in this State to purchase real estate in certain cases and dispose of the same," and refused to concur in Senate amendment thereto, as follows:

Amend by striking out all after the enacting clause, and inserting in lieu thereof the following:

Section 1. Whenever under any order, judgment or decree of any court of competent jurisdiction, or by virtue of a sufficient power of sale contained in any mortgage or deed of trust, any real estate shall be legally offered for sale, and any county in this State shall be interested, as trustee of any fund or otherwise, in the real estate to be sold, or in the proceeds of the sale thereof, in all such cases the county court of the county interested in any manner as aforesaid, may by an agent duly appointed by an entry of record, bid upon, and buy, any such real estate as in the best judgment and discretion of the court may seem proper, for the protection of the interest of the county, or of the fund of which the county is trustee, as the case may be. It shall be competent for the county court in all cases to give its agent all suitable directions, and place him under all proper restrictions as to his action in the bidding on, or buying, any such real estate. All real estate purchased shall be purchased in the name of the proper county, and shall be managed and disposed of in the same manner, as nearly as practicable, as is provided in section 7115 of the Revised Statutes of Missouri, respecting the management and disposition of school lands: *Provided*, that nothing in this act shall be so construed as to authorize any county to bid for any real estate a sum greater than the cash value thereof, nor greater than the interest which the county has in the real estate, or the proceeds of the sale thereof, and costs.

The President announced that all other business would be suspended, and directed that House bill No. 253, entitled "An act amend-

ing article 1 of chapter 117, entitled 'Inspection of petroleum,' be read at length, and that, unless objection be made, he would sign the same, to the end that it might become a law.

Said bill was thereupon read at length by the Secretary, in the presence of the Senate, in open session, no other business intervening, and no objection being made, the President signed the same.

The President announced that all other business would be suspended, and directed that House bill No. 388, entitled "An act to amend section 6662, chapter 145 of the Revised Statutes of the State of Missouri, entitled 'Of the assessment and collection of the revenue,'" be read at length, and that, unless objection be made, he would sign the same, to the end that it might become a law.

Said bill was thereupon read at length by the Secretary, in the presence of the Senate, in open session, no other business intervening; and no objections being made, the President affixed his signature thereto.

The President announced that all other business would be suspended, and directed that House bill No. 645, entitled "An act to suppress the circulation and vending of obscene literature," be read at length, and that, unless objection be made, he would sign the same, to the end that it might become a law.

Said bill was thereupon read at length by the Secretary, in the presence of the Senate, in open session, and no other business intervening, and no objection being made, the President signed the same.

The President announced that all other business would be suspended, and directed that House bill No. 733, entitled "An act authorizing cities acting under special charters and containing more than thirty thousand and less than fifty thousand inhabitants, to establish a system of sewerage, and to construct, establish and keep in repair sewers, culverts and drains," be read at length, and that, unless objection be made, he would sign the same, to the end that it might become a law.

Said bill was thereupon read at length by the Secretary, in the presence of the Senate, in open session, no other business intervening, and there being no objection made, the President affixed his signature thereto.

The President also announced that all other business would be suspended, and directed that House bill No. 449, entitled "An act to amend sections 6706 any 6707 of article 2, and section 6848 of article 6, and section 6853 of article 7, chapter 145 of the Revised Statutes of Missouri, relating to 'Of the assessment and collection of the rev-

enue,'” be read at length, and that, unless objection be made, he would sign the same, to the end that it might become a law.

Said bill was thereupon read at length by the Secretary, in the presence of the Senate, in open session, no other business intervening, and no objection being made, the President signed the same.

Senator Hutt submitted the following report from the Committee on Enrolled Bills, which was read:

MR. PRESIDENT: Your Committee on Enrolled Bills have carefully examined and find truly enrolled Senate bill No. 72, entitled “An act to amend chapter 119 of the Revised Statutes of Missouri, entitled ‘Of insurance,’ by providing for the imposition and collection of fines and penalties.”

The President announced that all other business would be suspended, and directed that substitute for Senate bill No. 72, entitled “An act to amend chapter 119 of the Revised Statutes of Missouri, entitled ‘Of insurance,’ by providing for the imposition and collection of fines and penalties,” be read at length, and that, unless objection be made, he would sign the same, to the end that it might become a law.

Said bill was thereupon read at length by the Secretary, in the presence of the Senate, in open session, no other business intervening, and there being no objection interposed, the President affixed his signature thereto.

On motion of Senator Edwards of St. Charles, the Senate adjourned.

SIXTY-EIGHTH DAY—MONDAY, March 28.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of Saturday read and approved.

Senator Hutt submitted the following report from the Committee on Federal Relations, which was read :

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred substitute for House joint and concurrent resolution No. 49, relating to duty on salt, beg leave to report that they have considered the same, and recommend that it do pass.

Substitute for House joint and concurrent resolution No. 49, entitled "Joint and concurrent resolution relating to duty on salt," was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Bryant, Cabell, DeArmond, Dungan, Edwards of Lafayette, Edwards of St. Charles, Headlee, Hutt, McGrath, Mabrey, Mackay, Morrisson, Naylor, Pehle, Rouse, Stephens and Walker—18.

NO—Senator Rogers.

ABSENT—Senators Cottey, Dobyns, Gottschalk, Heard and Manistre—5.

ABSENT ON LEAVE—Senators Bradley, Byrns, Bland, Caldwell, Heaston, Jacobs, Lloyd, McMahan, Manring and Perkins—10.

The title of the resolution was read and agreed to.

Senator Edwards of St. Charles, moved to reconsider the vote by which the resolution passed and to lay the motion to reconsider on the table ; the latter motion prevailed.

The following messages were received from the Governor through his private secretary, Mr. Farr :

SIR: I return to the Senate with my approval endorsed thereon, a bill of the following title :

"An act to amend section twenty-six hundred and eighty-nine (2689), chapter 39 of the Revised Statutes of Missouri, 'Of homesteads.'"

And a joint and concurrent resolution of the following title :

Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to use all means in their representative capacity to secure the appropriation of \$25,000 for the purpose of improving Grand river and reclaiming the swamp lands lying along said river.

Very respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, President of the Senate.

EXECUTIVE OFFICE, }
CITY OF JEFFERSON, March 25, 1881. }

SIR: I have the honor to appoint Hon. T. J. O. Morrisson, upon the part of the Senate, and Representatives Anthony of Nodaway and McGinnis of St. Louis city, upon the part of the House, to constitute a

committee to examine the books of the State Treasurer for the years 1877 and 1878. Said committee shall meet in the City of Jefferson on Tuesday, May 3, 1881, to begin its labors.

Very respectfully,

THOS. T. CRITTENDEN.

HON. ROBERT A. CAMPBELL, President of the Senate.

Senator McGrath from the Special Committee, submitted the following report and resolution, which was read first and second times and adopted :

MR. PRESIDENT: Your Committee appointed to confer with the secretary, for the purpose of ascertaining the length of time and the clerical force necessary to complete and make perfect the records of the present session, respectfully beg leave to report that they have complied with the resolution by which the committee was appointed, and do recommend that the Secretary be allowed, in addition to the assistant Secretary, a clerical force of eight men for ten days; also, Mr. Foley, janitor, to attend to fire, etc., during the time that said clerical force is employed.

The following message, was received from the Governor, through his Private Secretary, Mr. F. C. Farr, which was read:

EXECUTIVE OFFICE, CITY OF JEFFERSON, }
March 28, 1881.

SIR: I return to the Senate with my approval endorsed thereon, a bill of the following title:

"An act to amend chapter 119 of the Revised Statutes of Missouri, entitled 'Of insurance,' by providing for the imposition and collection of fines and penalties."

Very respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, President of the Senate.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 708, entitled "An act to amend section 1829, article 16, chapter 24, Revised Statutes, 'Of crimes and criminal procedure,'" and that unless objection be made, he would sign the same to the end that it might become a law.

Said bill was thereupon read at length by the Secretary, in open session, in the presence of the Senate, no other business intervening, and no objection being made, the President affixed his signature thereto.

Also, House bill No. 714, entitled "An act prescribing how grand juries shall be selected in cities having over three hundred thousand

inhabitants," was read at length by the Secretary, in open session, in the presence of the Senate, no other business intervening, and no objection being made, the President affixed his signature thereto.

The president also announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 734, entitled "An act regulating the levying of taxes upon real and personal property, including choses in action in cities containing more than thirty thousand and less than fifty thousand inhabitants," and that unless objection be made, he would sign the same to the end that it might become a law.

Said bill was thereupon read at length by the Secretary, in the presence of the Senate in open session, no other business intervening, and no objection being made, the President affixed his signature thereto.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 325, entitled "An act to amend section 1182, chapter 23, article 5, Revised Statutes of Missouri, relating to probate courts," and that unless objection be made, he would sign the same to the end that it might become a law.

Said bill was thereupon read at length by the Secretary, in the presence of the Senate in open session, no other business intervening, and no objection being made, the President affixed his signature thereto.

The President further announced that House bill No. 415, entitled "An act to amend section 3489, article 4 of chapter 59 of the Revised Statutes of Missouri, 'Of the manner of commencing suits and the service of notices,'" would now be read at length, and that unless objection be made, he would sign the same to the end that it might become a law.

Said bill was thereupon read at length by the Secretary, in the presence of the Senate in open session, no other business intervening, and no objection being made, the President signed the same.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 395, entitled "An act to amend section two thousand seven hundred and forty three (2743), chapter 42 of the Revised Statutes of Missouri, 'Of judgments,'" and that unless objection be made, he would sign the same to the end that it might become a law.

Said bill was thereupon read at length by the Secretary, in the presence of the Senate in open session, no other business intervening, and no objection being made, the President signed the same.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 683,

entitled "An act to more fully protect miners in weights, and punish persons who weigh minerals for not giving correct statements of weights," and that unless objection be made, he would sign the same to the end that it might become a law.

Said bill was thereupon read at length by the Secretary in the presence of the Senate in open session, no other business intervening, and no objection being made, the President signed the same.

Senate bill No. 247, entitled "An act to provide for the indexing of the minutes of judges of courts of record in certain cases," was taken up with the following House amendment, the same having been printed for the use of the Senate:

Amend by adding at the end of section 1, the following: "And when the record of county and probate business shall have been kept together, and said record is in the exclusive possession of one of said courts, the clerk of the other court is hereby authorized and empowered to copy that portion of said record pertaining to his office at a cost not exceeding eight cents per hundred words and figures, which shall be properly certified by the judge of said court to the county court and paid out of the county treasury."

Which was read the first and second times and concurred in by the following vote:

AYES—Senators Allen, Bryant, Cabell, Cottey, DeArmond, Dobyns, Edwards of Lafayette, Edwards of St. Charles, Headlee, Heard, Hutt, McGrath, Mackay, Morrisson, Naylor, Pehle, Rogers, Rouse, Stephens and Walker—20.

NO—Senator Mabrey.

ABSENT—Senators Gottschalk, Manistre and Perkins—3.

ABSENT ON LEAVE—Senators Bradley, Byrns, Bland, Caldwell, Dungan, Heaston, Jacobs, Lloyd, McMahan and Manring—10.

Senator Walker moved to reconsider the vote by which the amendment was concurred in and to lay the motion to reconsider on the table; the latter motion prevailed.

Senator Hutt submitted the following report from the Committee on Enrolled Bills, which was read:

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred Senate bill No. 247, entitled "An act to provide for the indexing of the minutes of judges of courts of record in certain cases," beg leave to report that they have compared the same and find it to be truly and correctly enrolled.

The President announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No.

247, entitled "An act to provide for the indexing of the minutes of judges of courts of record in certain cases," and that unless objection be made he would sign the same, to the end that it might become a law.

The bill was read at length, no other business intervening, and no objection being made, the president in the presence of the Senate, in open session, signed said bill.

Said bill was immediately sent to the House of Representatives for the signature of the Speaker thereof, and having been signed by the presiding officers of the two Houses, was this day presented to the Governor for his approval.

Senator McGrath offered the following resolution, which was read and adopted:

Resolved, That the Commissioner of Permanent Seat of Government be instructed to have prepared a design for a new desk for the President and Secretary's stand, which design shall set forth in detail all arrangements and accommodations necessary for both President and Secretary; said design to conform strictly to the architectural character of the Senate chamber; that said plans and specifications shall be submitted to the Governor for his approval; and when the same shall have been approved by the Governor, it shall be the duty of said commissioner to ascertain if said desk can be made either in part or in whole by convict labor in the penitentiary, and if not, he shall make a contract with a suitable party and have the same carried into execution strictly in accordance with the said plans and specifications."

The following message was received from the Governor through his Private Secretary, Mr. Farr, which was read:

EXECUTIVE OFFICE,
JEFFERSON CITY, March 28, 1881. }

SIR: I return to the Senate, with my approval indorsed thereon, a bill of the following title:

"An act in relation to set off."

Very respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, President of the Senate.

The President announced that all other business would be suspended and directed the Secretary to read at length House joint and concurrent resolution No. 49, entitled "Joint and concurrent resolution relating to duty on salt," and that unless objection be made he would sign the same, to the end that it might become a law.

Said resolution was thereupon read at length by the Secretary in the presence of the Senate in open session, no other business intervening, and no objections being made, the President signed said resolution.

The following message was received from the Governor through Mr. Farr, his Private Secretary, which was read :

EXECUTIVE OFFICE,
JEFFERSON CITY, Mo., March 28, 1881. }

SIR: I return to the Senate, with my approval endorsed thereon, a bill of the following title :

“An act to provide for the indexing of the minutes of judges of courts of record in certain cases.”

Very respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, President of the Senate.

Senator Cottey offered the following resolution, which was read and adopted :

Resolved, That a joint committee of two from the Senate, and three from the House, be appointed to inform His Excellency, the Governor, that the Thirty-first General Assembly will adjourn on this day at 12 o'clock, m.; and that he is requested to make such further communications, if any, that he may deem for the interest of the State; in which the concurrence of the House is respectfully requested.

The President appointed as such committee, on the part of the Senate, Senators Cottey and Rogers.

Senator Heard offered the following resolution, which was read twice and adopted :

Resolved, That the Secretary of the Senate be authorized to employ a clerk in addition to those already authorized by resolution of the Senate for a term not exceeding ten days, whose duty it shall be to collect, arrange, label and deposit with the Secretary of State, the printed bills left in possession of the Senate, in order that Senators desiring copies of said bills may be able to obtain them.

Senator Cottey, of the Joint Committee appointed to wait upon the Governor and inform him of the early approach of the hour of adjournment, submitted the following report, which was read :

MR. PRESIDENT: Your Joint Special Committee, appointed to inform the Governor that the Thirty-first General Assembly will adjourn *sine die* at 12 o'clock to-day, have performed that duty, and received

from His Excellency the information that he has no further communication to make to either branch of the General Assembly ; that he thanks both bodies for their uniform courtesy to him, and having faithfully performed their duties, he extends to the members individually his best wishes for their safe return to their homes, and for their further happiness and prosperity.

Senator Rogers offered the following resolution, which was read twice and adopted :

Resolved, That the thanks of the Senate be and are hereby tendered to the Doorkeeper, Sergeant-at-Arms, Clerks and Pages of the Senate, for the fidelity and the care with which they have discharged their respective duties during the present session.

The following message was received from the House, through Mr. Hannay, assistant Chief Clerk :

MR. PRESIDENT: I am instructed by the House to inform the Senate, that the House has taken up substitute for House bill No. 60, entitled "An act to amend sections 591 and 592, article 1, chapter 13 of the Revised Statutes of Missouri, entitled 'Of official bonds,'" and concurred in Senate amendment thereto, as follows :

Amend by striking out all after the enacting clause and inserting in lieu thereof the following :

Section 1. Section 591 of the Revised Statutes of Missouri is hereby amended by inserting the word "and," between "kind" and "location," in the sixth line of said section, and by striking out the words "and aggregate value of his property, with the amount and character of the incumbrances thereon; the extent of his liabilities, if any; whether or not he is the head of a family," in the sixth, seventh and eighth lines of said section, and inserting in lieu thereof the following: "Of his property, and that he is worth a certain sum, therein to be stated, over and above all liabilities and exemptions," so that said section, as amended, shall read as follows :

Sec. 591. No official bond in a penal sum of twenty-five thousand dollars or more shall be approved until after the sureties therein shall subscribe and swear to a statement, to be duly attested and endorsed on or attached to the bond, setting forth in full the name, place of residence and occupation of each surety, the kind and location of his property, and that he is worth a certain sum therein to be stated, over and above all liabilities and exemptions, and such other particulars as may be required by the officer or court whose approval of such bond is sought or required.

Amend the title by striking out "and (592) five hundred and ninety-two."

The President announced that all other business would be suspended, and directed that substitute for House bill No. 60, entitled "An act to amend section 591, article 1, chapter 13 of the Revised Statutes of Missouri, entitled 'Of official bonds,'" be read at length, and that unless objection be made, he would sign the same, to the end that it might become a law.

Said bill was thereupon read at length by the Secretary in the presence of the Senate in open session, no other business intervening, and no objection being made, the President signed the same.

The time fixed for the adjournment, viz.: 12 o'clock M., having arrived, the President announced that the Senate of the Thirty-first General Assembly of Missouri, was now adjourned *sine die*.

ROB'T. A. CAMPBELL,

Lieut. Governor and President of the Senate.

ATTEST:

FRANCIS C. NESBIT, Secretary of the Senate.

NOTE.

The following acts were approved by His Excellency, the Governor, after the adjournment of the General Assembly :

Substitute for House bill No. 60, "An act to amend section (591) five hundred and ninety-one, article one (1), chapter thirteen (13) of the Revised Statutes of Missouri, 'Of official bonds;'" approved March 28, 1881.

Substitute for House bill No. 325, "An act to amend section 1182, chapter 23, article 5, Revised Statutes of Missouri, relating to probate courts;" approved March 28, 1881.

House bill No. 708, "An act to amend section 1298, article 16, chapter 24, Revised Statutes, 'Of crimes and criminal procedure;'" approved March 28, 1881.

House bill No. 395, "An act to amend section two thousand seven hundred and forty-three (2743), chapter forty-two (42) of the Revised Statutes of Missouri, 'Of judgments;'" approved March 28, 1881.

House bill No. 415, "An act to amend section 3489, article 4 of chapter 59 of the Revised Statutes of Missouri, 'Of the manner of commencing suits and the service of notices;'" approved March 28, 1881.

House bill No. 734, "An act regulating the levying of taxes upon real and personal property including choses in action, in cities containing more than thirty thousand and less than fifty thousand inhabitants;" approved March 28, 1881.

House bill No. 714, "An act prescribing how grand jurors shall be selected in cities having over three hundred thousand inhabitants;" approved March 28, 1881.

House bill No. 683, "An act to more fully protect miners in weights and punish persons who weigh minerals for not giving correct statement of weights;" approved March 28, 1881.

Senate bill No. 50, "An act to appropriate money and provide for the payment of the claim of the Rolla Board of Education;" approved April 11, 1881.

INDEX.

SENATE BILLS.

No.	Bills.	Introduced by
1	Act regulating interest of money.....10, 42, 135, 136, 137, 144, 145	Cottey.
2	in relation to charitable associations, etc..... 41	Edwards of St Charles.
8	to amend sec. 6685 and 6688, revenue.....41, 239, 273, 283, 287, 289, 295, 813, 333, 334, 346, 347, 385	Byrna.
4	to amend sec. 6685 and 6687, revenue.....41, 239, 273, 283, 287, 289, 295, 313, 333, 334, 346, 347, 385	Pehle.
5	to repeal act providing right to vote by those who failed to register.....41, 108, 109, 116, 336, 340	Naylor.
6	to require Governor to appoint committee to visit institutions 41, 61, 95, 97, 124, 133, 176, 261, 268, 279, 308, 304, 814	Cottey.
7	to amend sec. 1182, probate courts.....42, 51	Edwards of St. Charles.
8	to secure settlement with Treasurer Gates.....42, 51, 52, 55, 61, 66, 67, 68, 95, 97, 98, 198, 202, 210	Morrisson.
9	to secure priority of State lien—revenue.....42, 51, 55, 62, 68, 98, 99, 198, 202, 210	Morrisson.
10	to amend sec. 1307, crimes, etc 42, 51, 184, 185, 200, 201, 384	Mabrey.
11	to amend chap 62, recorder of deeds...42, 51, 226, 278, 348, 420, 426	Dungan.
12	to amend sec. 6660, revenue...50, 55, 239, 283, 287, 289, 295, 313, 333, 334, 346, 347, 385	Morrisson.
13	to repeal sec. 1804, grand juries...51, 55, 119, 172, 177, 178, 375, 399	Heaston.
14	to amend sec. 3488, practice—return of writ.....51, 55, (273)	Rouse.
15	to amend sec. 6685, 6688, 6695, 6699, 6705, 6716, 6717 and 6718, revenue.....51, 55, 239, 278, 283, 287, 289, 295, 313, 333, 334, 346, 347, 385	DeArmond.
16	in relation to suing married women.....51, 55	Cottey.
17	in relation to probate court in Jackson county.....51, 55, 110, 124, 182	Bryant.
18	for relief of L. C Lohman..54, 56, 190, 203, 209, 439, 493, 494, 507	Morrisson.
19	to amend sec 3514, civil practice—defendant's plea.....54, 56	Rouse.
20	to amend sec. 3721, civil practice—clerk's duties.....54, 57	Rouse.
21	to amend sec. 6678 and 6675, revenue..54, 57, 239, 278, 283, 287, 289, 295, 813, 333, 334, 346, 347, 385	Dobyns.
22	to amend sec. 7623, lost warrants—treasury.....54, 57, 170	Pehle.
23	to amend sec. 145, real estate.....54, 57, 268, 269, 312, 321, 351	Hutt.

No.	Senate Bills.	Introduced by
24	Act to amend sec. 1021, powers and duties of courts of record	Hutt.
25	to amend sec. 974, benevolent associations 54, 57	Mackay.
26	to amend sec. 178, real estate in administration.. 56, 59, 96	Hutt.
27	to amend sec. 8488, civil action and parties—married women.....56, 59, 103	Hutt.
28	to discourage keeping of muzzled dogs.....56, 59, 113, 115, 187, 165, 189, 191, 192, 384, 465, 466, 493, 494, 506	Jacobs.
29	to amend secs. 5626, 5627, 5628, 5629, 5630 and 5632, fees.... 56, 59, 103	Dungan.
30	to widen and improve roads and boulevards....56, 59, 103, 109, 358, 413, 415, 506, 518, 519, 529	Bryant.
81	to promote immigration... ..56, 59, 103, 876	Cabell.
32	to amend chap. 145, revenue.....59, 120, 239, 273, 283, 287, 289, 295, 313, 333, 334, 346, 347, 385	Morrisson.
33	to amend secs. 1900, 1902 and 1904, crimes, etc.....59, 105, 120	Rouse.
34	to amend sec. 5609, fees.....59, (113), 182, 203, 209	Mabrey.
35	to prescribe duties of county surveyor.....59, 105, (118)	DeArmond.
36	to authorize fund commissioners to redeem bonds, etc.... 59, 116, 646	Heaton.
37	to regulate taking of depositions.....60, 118	Naylor.
38	to amend secs. 6728 and 6724, revenue.....60, 116, 239, 273, 283, 287, 289, 295, 313, 333, 334, 346, 347, 385	Pehle.
39	to amend secs. 841 and 846, railroads—reports commissioners.....60, 116	Edwards of St. Charles.
40	to amend sec. 1318, crimes, etc., petit larceny.....60, 105, 167, 168, 169	Byrns.
41	to appropriate money for State government for 1881 and 1882.....61, 69, 92, 93, 94, 95, 100, 101, 608, 623, 624, 654, 656, 657, 662	Cotter.
42	to amend secs. 4314, 4316, 4317, 4320, 4321, 4322 and 4323 bridges.....61, 116, 165, 190, 193, 194	Dobyns.
43	to provide for appointment of guardians, etc., by probate judges.....65, 105	Hutt.
44	to amend sec. 4324, bridges.....65, 105, 165, 190, 193, 194	Byrns.
45	to provide additional punishment for crime...85, 109, 227, 228, 290, 810	DeArmond.
46	to authorize guardians, etc., under order of probate court to purchase real estate for benefit of wards....65, 105, 185, 203, 210	Mabrey.
47	to authorize executors, etc., under order of probate court to purchase real estate for benefit of creditors.....65, 105, 118, 184, 202, 210	Mabrey.
48	to amend secs. 4937 and 4939, cities, towns and villages—mayor.....70, 121, 171, 172, 189, 192	Bradley.
49	to create the office of public printer.....86, 96	Morrisson.
50	to pay Rolla board of education...86, 96, 229, 305, 336, 341, 627, 654, 655, 692	Headlee.
51	to amend sec. 6498, penitentiary...86, 96, 116, 184, 205, 213, 218, 233	Walker.
52	to amend sec. 201, administration.....89, 96, 180, 144, 146, 228, 240, 241, 260	Edwards of Lafayette.
53	to amend sec. 22, administrators.....89, 96	Edwards of Lafayette.
54	to amend sec. 6780, monthly statement of collectors...96, 106, 239, 273, 288, 287, 289, 295, 313, 333, 334, 346, 347, 385	Mackay.
55	concerning persons acquitted of homicide on plea of insanity.....96, 121, 132	Cabell.
56	to amend secs. 7087, 7088 and 7089, uniformity of text-books 96, 105	Headlee.
57	to amend secs. 5371, 5372 and 5407, county warrants...98, 118, 182, 172, 178, 226, 281, 282, 303, 304, 314	Dobyns.
58	to amend secs. 1307 and 1308, crimes, etc., (public and private property).....98, 105	Morrisson.
59	to amend sec. 6785, revenue.....99, 103, 239, 273, 283, 287, 289, 295, 313, 333, 334, 346, 347, 385	Mackay.

No.	Senate Bills.	Introduced by
60	Act to authorize issue of renewal revenue bonds.....100, 121, 250, 289, 318, 314	Morrisson.
61	to authorize funding of county, city, town and township bonds.....100, 113, 169	Morrisson.
62	to amend sec. 2782, judgments.....101, 121, 360, 413, 414, 415	Dungan.
63	to repeal sec. 1209, duty of county court.....103, 121, 216, 217, 240, 242	Dungan.
64	to provide for settlement with Auditor and Treasurer when such has not been made according to law, etc. 103, 121, 131, 140, 174, 196, 197, 205, 213, 410, 424, 425, 443	DeArmond.
65	to amend sec. 4368, restraint of diseased and Texas cattle 103, 106	Lloyd.
66	to amend sec. 7631, State Treasury...103, 121, 178, 180, 249, 250, 289, 315	Rogers.
67	to revise and amend chap. 150, schools...105, 137, 200, 223, 244, 255, 352, 358, 366, 374, 483, 446, 484	Morrisson.
68	to provide for public printing and elect public printer... 105, 139	Walker.
69	in reference to printing, binding and stationery for State 105, 109, 185, 186	Heaston.
70	to amend sec. 5429, dogs.....107, 120	Pehle.
71	to authorize probate judges to complete unfinished records.....107, 121	Walker.
72	to amend chap. 119, insurance...107, 120, 235, 326, 336, 337, 644, 683, 685	Naylor.
73	to appropriate money for redemption of certain U. M. bonds.....107, 139, 329, 417, 446, 611, 654, 656, 662	Morrisson.
74	to amend sec. 640, commissioners of deeds....108, 120, 190, 198	DeArmond.
75	to amend sec. 3665, civil practice—abatement and revival of suits.....108, 121	DeArmond.
76	to amend sec. 5832, fees of constables and justices....108, 113	DeArmond.
77	to amend sec. 2689, homesteads.....109, 189	Hutt.
78	to exempt husband from payments of wife contracted before marriage.....111, 121, 224, 262, 266	Hutt.
79	to amend chap. 145, revenue, ...112, 139, 140, 193, 219, 239, 278, 283, 287, 289, 295, 313, 333, 334, 346, 347, 385	Pehle.
80	to authorize Adjutant-General to settle militia claims against United States...112, 140, 254, 288, 295, 302, 490, 502	Heaston.
81	to repeal chap. 100, druggists and their licenses.....112, 120	Dungan.
82	to provide for taxing State bonds.....112, 140, 646	Lloyd.
83	to pay Kate K. Mitchell for U. M. bonds.....112, 191, 205, 211, 438, 493, 494, 507	Byrna.
84	to consolidate school and seminary fund by fund commissioners, etc.....112, 140, 308, 309, 361, 544, 558	Morrisson.
85	to relieve heirs of A. H. Anderson...113, 140, 190, 205, 211, 212, 439, 541, 542, 558, 559, 565	Rogers.
86	to authorize Governor and Attorney-General to employ agent to collect militia claims against United States 115, 140, 254, 288, 295, 302, 490, 502, 507	Heard.
87	to encourage immigration to State.....115, 140, 676	Cabell.
88	to provide for collection of militia claims against United States 115, 140, 254, 288, 295, 302, 490, 502, 507	Stephens.
89	to amend sec. 1215, pay of county court judges...118, 170, 182	Rouse.
90	to repeal chap. 100, sale of liquor by druggists.....118, 170	Headlee.
91	to amend secs. 7169 and 7171, normal schools.....118, 170, 191, 206, 212, 213, 438, 493, 494, 506	Lloyd.
92	to enable insurance companies to surrender special charters, etc.....124, 140, 220, 253, 265, 281, 295, 304, 330, 348, 356, 365, 366, 367, 379, 380, 653, 662, 667, 671, 677	Edwards of St. Charles.
93	to prescribe qualifications of physicians.....124, 170, 245	Bland.
94	to amend sec. 6834, merchants' licenses.124, 170, 308, 360, 354	Heaston.
95	to provide for construction of aprons or chutes for passage of fish.....124, 170, 182, 205, 212, 375, 384, 399	DeArmond.
96	to appropriate money to pay Bank of Commerce, New York.....124, 176, 251, 290, 315, 316, 383, 418, 440, 479	Morrisson.
97	to amend secs. 5901 and 5912, institutions....124, 170, 172, 189, 193, 223, 246, 260	Jacobs.

No.	Senate Bills.	Introduced by
98	concerning limitation as to pay of certain warrants and State bonds.....124, 176, 645	DeArmond.
99	concerning recovery of special taxes paid under void laws.....134, 170, 660	Cabell.
100	to amend sec. 4200, billiard and other tables.....184, 176, 188, 199, 200, 201, 493, 195, 507	Bradley.
101	to amend sec. 22, administration.....141, 170, 173, 190, 194, 223, 241, 257, 392	Edwards of La-fayette.
102	in relation to judges of probate courts...141, 170, 208, 229, 286	Edwards of St. Charles.
108	regulating practice in Supreme Court...141, 176, 223, 224, 272, 312, 324, 325	Heard.
104	to amend sec. 818, protection of stockholders in railroad corporations..... 141, 170, 176, 218, 229, 287, 241, 275, 287	Walker.
105	to repeal chap. 100. of druggists, and regulating sale of liquor.....141, 176, 348, 349, 430	DeArmond.
106	to amend sec. 2956, justices courts.....141, 176, 226, 290, 317	Dobyns.
107	to amend sec. 4358, restraint of diseased and Texas cattle 142, 173, 189, 192, 226, 246, 260	Lloyd.
108	to empower insurance companies to change plan.....148, 187	Rogers.
109	relating to scientific, historical and eleemosynary institutions.....148, 186, 239, 278, 283, 287, 289, 295, 313, 333, 334, 346, 347, 355	Cabell.
110	to amend secs. 6057 and 6060, taxing insurance companies 164, 186, 239	Naylor.
111	to amend sec. 815, discrimination in grain shipments...164, 259, 290, 317	Jacobs.
112	to complete second district normal school...164, 187, 680, 594, 595, 638, 668, 669, 677	Edwards of La-fayette.
113	to amend secs. 3486 3487, 3488 and 3489, civil practice..... 164, 187, 217, 248, 265, 301	Rouse.
114	to amend sec. 8046, justices courts...165, 186, 208, 229, 236, 439, 477, 478, 492	Byrns.
115	to amend sec. 1819, crimes, etc.....165, 186, 196, 205, 211	Byrns.
116	to authorize counties to fund debts for public buildings... 165, 187, 225, 241, 290, 317, 318, 480, 493, 494, 507	Mabrey.
117	to amend sec. 8514, civil practice...170, 186, 217, 253, 265, 301	Rouse.
118	to amend secs. 841 and 846, railroads.....171, 179, 182, 206, 410, 424, 425, 492	Edwards of St. Charles.
119	to amend sec. 2843, executions.....171, 186, 331	Stephens.
120	to amend secs. 833, 838 and 842, classification of railroad freight.....171, 187, 661	Edwards of St. Charles.
121	to amend sec. 7606, State Treasury.....178, 187, 646	Morrisson.
122	to admit A. R. Craften to practice medicine.....178, 187, 207	Mabrey.
123	to amend sec. 8738, civil practice.....179, 191	Stephens.
124	to amend sec. 1666, crimes, etc.....181, 196, 209, 229, 237	Byrns.
125	to fix pay of certain officers of General Assembly.....181, 293, 294, 305, 306, 311, 334, 340	Mackay.
126	to amend sec. 3680, civil practice...181, 196, 307, 351, 354, 633, 667, 668, 678	Lloyd.
127	to amend sec. 6723, revenue.....181, 196, 239, 278, 283, 289, 295, 313, 333, 384, 346, 347, 385	Mabrey.
128	to authorize cities of 100,000 to organize police force, etc. 181, 196, 660	Allen.
129	to repeal act providing right to vote by persons failing to register.....181, 191, 220, 262, 265, 266, 627, 653, 654, 662	Naylor.
130	to authorize issue redemption bonds.....182, 209, 648	Cabell.
131	to amend sec. 6659, taxation and equalization.....188, 196, 239, 273, 283, 287, 289, 295, 313, 333, 384, 346, 347, 385	Cabell.
132	to amend sec. 3729, change of venue...188, 201, 216, 240, 243, 439, 498, 507	Byrns.
133	concerning registration in cities of 100,000.....188, 209, 214, 220, 221, 222, 286, 302, 410, 517, 529	Cabell.
134	to amend sec. 2519, garnishments.....194, 201	Bryant.
135	to amend sec. 8556, non-suit practice in civil cases.....194, 201	Bryant.
136	to amend sec. 2731, judgments.....194, 201	Bryant.

No.	Senate Bills.	Introduced by
137	Act to amend secs. 883, 885 and 842, railroad classification — charges—commissioners.....195, 209, 884, 360, 492, 438	Edwards of St. Charles.
138	to amend sec. 883 and to repeal secs. 839 and 840, railroad classification—charges—commissioners.....195, 209, 835, 379, 880, 887, 419, 421, 422	Edwards of St. Charles.
139	to provide medical treatment of insane criminals, etc. 196, 209, 226, 271, 281, 565, 595, 596, 623, 654, 655, 663	Walker.
140	to relieve T. W. Brady.....196, 209	McGrath.
141	restraining stock from running at large 200, 255, 308, 360, 367	Dungan.
142	relating to sale or lease of agricultural college lands.....200, 264, 329, 419, 421, 466	Lloyd.
143	for the relief of Calvin Gunn 200, 386, 253	Walker.
144	concerning jurors and witnesses.....201, 236, 248, 289, 307	McGrath.
145	concerning uniform system of text-books.....204, 264, 306, 351, 354, 388	Heaston.
146	to regulate practice of medicine and surgery.....204, 252	Rogers.
147	to provide for submission of constitutional amendments to vote.....204, 252, 276, 277, 311, 322, 893, 424, 425, 443	Dobyns.
148	to provide for pay of swamp land warrants.....204, 236, 351, 352, 400, 404	Dungan.
149	to amend sec. 5467, dramshops 204, 252, 285, 811, 322, 597, 600	DeArmond.
150	to amend sec. 806, private corporations 204, 255, 360, 400, 405, 412, 633, 668, 676, 677, 678	Rouse.
151	concerning stenographic reporters in criminal courts of cities of 100,000.....204, 252, 275, 826, 837, 603, 510	Cabell.
152	to amend chap. 46, art. 11, construction of statutes.....204, 217	Dungan.
153	to amend secs. 568 and 569, bills of lading and warehouse receipts.....214, 241, 268, 290, 318	Naylor.
154	to amend sec. 187, redemption, sale and conveyance of real estate.....215, 242	Walker.
155	to amend sec. 295, appeals in administration 215, 262, 269, 296, 320, 439, 477, 479, 492	Walker.
156	to repeal sec. 116 and enact new section of private sale of personalty in administration.....215, 242, 269, 296, 319, 683, 666, 677	Walker.
157	to amend sec. 5824, insane persons.....215, 242, 277, 811, 823, 492, 590, 608, 619	Walker.
158	concerning service of notices by notaries.....216, 252, 270, 296, 319	Naylor.
159	to amend sec. 4941, cities of fourth class.....216, 242, 289, 318	Dobyns.
160	to amend sec. 8311, mortgages and deeds of trust.....215, 262, 282, 326, 337, 604, 618, 619, 684	Cabell.
161	to provide for disposal of agricultural college lands...219, 242, 808	Stephens.
162	in relation to set-off.....219, 355, 205, 333, 340, 841, 668, 678, 680, 688	Byrns.
163	to amend sec. 7457, township organization...219, 242, 254, 296, 319, 320	Manring.
164	to amend sec. 1158, court in fourteenth circuit.....219, 242, 276, 812, 323, 324, 888, 897, 899	McMahan.
165	to amend sec. 1715, surety to keep the peace, justices courts.....219, 242, 276, 311, 322, 823	Dobyns.
166	to amend sec. 3091, landlords and tenants.....220, 255, 269, 270, 312, 324	Dobyns.
167	concerning liability of cities and towns for damage by riots.....224, 255, 290, 325, 338, 509, 620, 621, 654, 655, 668	McGrath.
168	relating to township trustee and <i>ex officio</i> collector.....225, 264, 276, 311, 321, 439, 498, 495, 507	Caldwell.
169	to amend sec. 790, railroad companies...225, 279, 379, 434, 445, 446, 638, 667, 671, 677	Naylor.
170	to amend sec. 1167, courts in 23d circuit.....225, 235, 254, 290	Mabrey.
171	to amend sec. 5608, fees.....225, 292, 293, 325, 338	Mabrey.
172	relating to distribution of books published by authority of the State.....225, 235, 243, 260, 263, 266, 439, 478, 492	McGrath.

No.	Senate Bills.	Introduced by
173	Act relating to bonds of <i>ex officio</i> collectors 225, 235, 362, 414, 416	DeArmond.
174	relating to appeal bonds and recognizances 225, 364, 276, 312, 323	DeArmond.
175	to amend sec. 5441, dramshops.....225, 278, 279, 849, 400, 404	Stephens.
176	to regulate sale of vinegar.....228, 279, 301, 336, 342	Heard.
177	for relief of C. G. Comstock.....234, 279, 847, 848, 400, 405, 586, 601, 619	Rogers.
178	for relief of D. P. Dyer.....234, 280, 347, 400, 403, 404	Rogers.
179	to amend sec. 2693, homesteads.....234, 242	DeArmond.
180	to amend sec. 2689, homesteads 234, 280, 332, 420, 426, 642, 654, 684	DeArmond.
181	to amend sec. 912, private corporations 234, 280, 660	Pehle.
182	to amend sec. 7628, state treasury... 234, 280, 362, 401, 403, 414, 478, 482, 483	Morrisson.
183	to amend sec. 1854, crimes, etc.....234, 280, 300, 333, 341	Dobyns.
184	to amend secs. 5853 and 5868, inspection..... 239, 280, 305, 351, 354, 409, 410	Rouse.
185	to amend secs. 5442 and 5464, dramshops.....239, 280, 349, 435, 442	Dobyns.
186	concerning transportation of nitro-glycerine 239, 280, 307, 303, 350, 355, 586, 597, 598, 600	Bryant.
187	to create the office of public guardian for destitute orphans.....239, 280	Morrisson.
188	to provide reformatory school for juvenile offenders 239, 288, 299	Morrisson.
189	to amend sec. 7433, township elections.....247, 288, 297, 388, 339, 480, 493, 494, 506	Caldwell.
190	to amend chapter 160, record books under township organization.....247, 255, 275, 276, 325, 339, 480, 510, 519, 529	Heaton.
191	to establish reform school for juvenile offenders. 247, 288	Dungan.
192	to provide greater security to state arms, etc.....247, 281, 371, 376, 382, 395, 402, 483, 484	McMahan.
193	for better regulation of dramshops..... 247, 288, 401, 488	Byrns.
194	for better management of roads.....247, 288	Byrns.
195	to amend sec. 698, conveyance of real estate.....247, 288, 307, 351, 354	Cotter.
196	to amend sec. 2781, judgments 247, 288	Cotter.
197	to amend sec. 3172, mechanics liens.....247, 281	Cotter.
198	concerning railroad taxes under law of March 23, 1868 247, 288, 646	Cotter.
199	to regulate practice of dentistry.....259, 288, 249, 800, 476, 497, 501	Heard.
200	to amend secs. 2724 and 2727, interest.....262, 270, 277, 278, 296, 320, 321	Cotter.
201	to authorize counties and townships to build graded or plank roads.....262, 270	Byrns.
202	to amend sec. 1878, crimes, etc.....262, 270, 285, 333, 342, 343	Byrns.
203	to repeal secs. 18 and 19, Appendix, criminal court...262, 270, 272, 279, 289, 306, 628, 667, 670, 678	Byrns.
204	to exempt husband from paying debts of wife contracted before marriage.....267, 270, 277, 312, 321, 204, 308, 609, 619	Hutt.
205	to amend sec. 7195, shows and circuses.....272, 309, 349	Stephens.
206	for relief of Thos. J. Baker.....272, 280, 301, 330, 506, 596	Heaton.
207	for relief of Hazelton J. Skinner.....272, 281, 800, 336, 343, 544, 562, 600	Heaton.
208	in relation to Hunt's minutes.....272, 309	Dungan.
209	to amend sec. 6495, notaries.....272, 281	DeArmond.
210	to repeal sec. 8 of act concerning street railroads, of 1860 274, 309, 651	Manistre.
211	in relation to real estate of lunatics.....274, 286, 359, 400, 406	DeArmond.
212	to amend sec. 3318, mortgages and deeds of trust 274, 286, 360, 367	DeArmond.
213	concerning notice of real estate sales by sheriffs, mortgages and trustees 274, 287	DeArmond.
214	to declare meaning of word "vacation" 274, 287	DeArmond.

No.	Senate Bills.	Introduced by
215	Act in relation to assessment of real estate on county lines 274, 827, 847, 357, 646	Stephens.
216	for prohibiting railroad corporations from consolidating 274, 809, 651	Walker.
217	for relief of James S. Rollins.....275, 827, 858, 400, 408, 667, 676, 677, 678	Morrisson.
218	to amend sec. 1486, officers exacting illegal fees.....275, 809	Heard.
219	to amend constitution and reorganize judicial system 284, 327	Hutt.
220	for punishment of persons convicted of certain crimes committed second time.....284, 327	Walker.
221	relating to law of libel.....284, 385	Walker.
222	to amend sec. 676, conveyances of real estate.....284, 327	Manning.
223	to amend sec. 1486, illegal fees....284, 809, 830, 860, 363, 637, 666, 668, 678	Cabell.
224	to amend sec. 5617, fees.....284, 810	Rouse.
225	to amend sec. 6315, merchants' licenses.....284, 327, 645	Rogers.
226	to amend sec. 6314, merchants' licenses.....284, 327, 374, 419, 422, 423	Stephens.
227	to amend sec. 5607, sheriff's fees..... 284, 810, 859, 435, 443, 680, 676, 678	Rouse.
228	to amend sec. 2682, replevin 284, 328	Cotter.
229	to amend sec. 2710, injunctions.....285, 810, 831, 861, 868	Dobyns.
230	to amend sec. 6938, roads and highways..... 285, 810, 391, 892, 441, 444	Dobyns.
231	to pay G. W. Arnold and G. W. Fricke.....292, 810, 862, 413, 415, 598, 600	Rogers.
232	for relief of Edward Price.....292, 810, 362, 435, 441, 659, 660	Rogers.
233	directing register of lands to issue corrected patents, etc.....297, 335	Rogers.
234	to appropriate money to enlarge Mo. University..... 810, 885, 482, 542	Bryant.
235	for relief of P. H. Edwards..... 318, 828, 872, 420, 423, 633, 667, 669, 678	Lloyd.
236	to amend sec. 7631, treasury.....316, 835, 347, 402, 403, 615, 624, 654, 657, 674	Morrisson.
237	relating to towns and cities under special charters.....316, 335, 373, 402, 441, 444, 445	Lloyd.
238	to amend secs. 2025 and 2026, proceedings before justices in misdemeanors.....316, 335, 359, 420, 427	Dobyns.
239	to amend sec. 7631, treasury (H. & St. Joe).....326, 885, 645	Heaston.
240	to amend sec. 8132, laws.....326, 335, 348, 399, 406, 633, 667, 670, 677	Heaston.
241	to restrain stock from running at large..... 828	Morrisson.
242	concerning publication of judicial notices in cities of 100,000 328, 848, 680	Rogers.
243	to amend chapter 125, merchants' licenses.....329, 348, 484, 482, 520, 525, 529, 549, 550	Manistre.
244	to amend sec. 3737, change of venue.....346, 353	Stephens.
245	to reorganize geological survey.....353, 361	Walker.
246	concerning written opinions of Supreme Court.....358, 361, 865, 414, 216, 617, 620, 654, 656, 663	DeArmond.
247	concerning indexing minutes of courts of record, etc. 858, 361, 374, 435, 445, 681, 687, 688, 689	Walker.
248	as to searches and certificates as to judgments... .. 358, 861, 374, 420, 427	Bryant.
249	to amend sec. 1150, courts in 6th circuit..... 398, 402, 436, 437, 478, 488	Edwards of Lafayette.
350	to amend sec. 2837, justices 398, 402	Cabell.
251	to amend secs. 5088, 5084 and 5089, commissioner perma- nent seat of government.....398, 402, 435, 436, 465, 466, 467	McGrath.
252	to amend sec. 2, chapter 6, Appendix, St. Louis police 419, 441, 460, 497, 501	Cabell.
253	to apportion representatives, and divide State into sena- torial districts.....455, 466, 663	Bryant.

Joint and Concurrent Resolutions.

No.		Introduced by
1	Memorializing Congress to appropriate money...54, 56, 380, 488, 489	Stephens.
2	Government for Indian Territory.....55, 56, 118, 172, 177, 410, 424, 436, 448	Lloyd.
3	Joint rules.....84, 108	
4	Ship railway.....93, 96, 215, 243, 265, 541, 557, 558, 566	Cabell.
5	Printing ordered by General Assembly.....101, 105	Cabell.
6	Authorizing committee to settle with Auditor and Treasurer to cancel vouchers....101, 106, 118, 187, 140, 238, 232, 240	Morrisson.
7	Right of way to St. L. and S. F. R. R. through Indian Territory.....114, 121, 122, 143, 145, 238, 240	Naylor.
8	Constitutional amendment concerning court of appeals..183, 170, 223	Cabell.
9	Directing Secretary of State to deliver copies of statutes to Librarian of State University.....142, 176, 196, 208, 214, 489, 477, 479, 492	Edwards of St Charles.
10	Constitutional amendment concerning revenue and taxation.....200, 236, 380	Byrna.
11	Prohibition amendment to Constitution.....218, 252, 522, 528	Manring.
12	Relating to absence of members.....258, 309, 350	Manring.
13	Furnishing township clerks with copies of statutes, etc.....258, 309, 329, 861, 369	Caldwell.
14	Survey of swamp lands in Missouri and Arkansas...261, 309, 831, (850), 401, 406, 632, 666, 668, 669	Morrisson.
15	In relation to adjournment.....267, 270, 645	Heaston.
16	In relation to judicial department.....272, 288, 291, 300, 334, 339, 393, 417, 477, 478	Dobyns.
17	Reclaiming land along Grand river.....310, 836, 850, 401, 406, 407, 638, 666, 669, 670, 678, 684	Jacobs.

Resolutions

		Introduced by
Call of Senatorial districts.....	4	Cotter.
Committee to prepare rules.....	5	Edwards of St. Charles.
Secretary of State asked to furnish statutes.....	5	Cabell.
That Senate proceed to elect officers.....	6	Mackay.
Appointment of clerks.....	9	Morrisson.
Appointment of laborers.....	9	Walker.
House informed of organization.....	9	Heaston.
Printing Gov. Phelps' Message.....	37	Heaston.
Death of Hon. J. B. Duchouquette.....	37	Morrisson.
Committee on inauguration.....	45	Walker.
Thanks to retiring Lieutenant-Governor.....	47	Morrisson.
To print inaugural addresses of Gov. Crittenden, etc.....	47	Heaston.
No. State bonds outstanding.....	51	Cabell.
Room for Ways and Means Committee.....	54	Cotter.
Furniture for Senate Chamber.....	54	McGrath.
Committee on Public Printing instructed as to prompt print- ing of Senate bills.....	57	Cotter.
Committee on Rules to employ clerk.....	60	Heard.
Rooms for standing committees.....	60	Cabell.
Salaries of State and county officers.....	60	Stephens.
Reference of Gov. Phelps' Message.....	64	Cotter.
Approaches to Capitol.....	69	McGrath.
List of prisoners in St. Louis jail.....	89	Cabell.
Prompt printing.....	102	Cabell.
Clerk of Supreme Court asked for certain information.....	104	Dobyns.
Printing and distribution of bills, etc.....	106	Dobyns.
Printing bills in pamphlet form.....	112	Heaston.
To pay expense of R. G. Coleman.....	114	Byrnes.
Joint committee on reception of E. B. Washburn.....	118	Cotter.
Committee on Treasury deficit.....	123, 166	Pehle.
Room for Committee on Criminal Jurisprudence and on Inter- nal Improvements.....	134	Byrnes.
Printing Washburn addresses.....	168	Heard.
Thanks to E. B. Washburn for portrait of Hempstead.....	168	McGinnis.
For report on House bill substitute for House bills Nos. 19, 29, 36, 42, 50, 52, 72, 80 and 129.....	198	Bradley.
Changing time of assessment.....	198, 199	DeArmond.
Committee to visit mines.....	199	Lloyd.
Printing Senate bill 183.....	214	Manistre.
Prisoners in St. Louis jail.....	245	Gottschalk.
Sympathy with Ireland.....	256	Manring.

Resolutions.		Introduced by
Errors in 500,000 acre grant patents.....	258	Cottey.
Pay for "Tribune".....	292	Walker.
Amending Rule 43.....	316, 386	Cottey.
Investigation of Police Commissioners cases	352	McGrath.
Committee of Ways and Means instructed to report appropriation bill.....	355	Gottschalk.
Copies of address on Hempstead portrait to Historical Society.....	363	Heard.
Printing engrossed revenue bill.....	381	Cottey.
Sympathy for Ireland.....	476	Heaston.
To print report of Mines and Manufactures.....	503	Lloyd.
Concerning Senate bill 243.....	529	Lloyd.
That House return House bill 369.....	558	Cottey.
Pay of employes.....	559	Heaston.
Secretary of State instructed as to documents and reports.....	600	Heaston.
Return of House bill 566 from Committee of Ways and Means.....	602, 611	DeArmond.
Return of House bill 670 from Committee of Ways and Means.....	627	DeArmond.
Substitute for same.....	628	Cottey.
Thanks to Lieutenant-Governor.....	652	Hutt.
Thanks to Secretary and assistants.....	652	Dobyns.
Clerical force after adjournment....	665	McGrath.
House requested to return House bill 369.....	558	Cottey.
Return of bills by committees.....	628	Cottey.
Thanks to President <i>pro tem</i>	678	Dobyns.
Thanks to chairman of committees on Engrossed and Enrolled bills.....	678	Cottey.
Pay of assistant clerks.....	673	Hutt.
New desk for President and Secretary.....	674	McGrath.
Committee to inform Governor of hour of adjournment.....	675	Cottey.
Clerk to arrange bills.....	675	Heard.
Thanks to Doorkeeper, Sergeant-at-Arms, clerks and pages....	676	Rogers.

Petitions, Memorials and Remonstrances.

		Presented by
From I. L. Terry on election of Hon. H. Manistre.....	52	Lloyd.
Memorial of immigration convention.....	57	Cabell.
Assessment and collection.....	102	Stephens.
Women ask constitutional amendment.....	102	Rogers.
From Oakland Grange.....	105	Edwards of St.
		Charles.
For changing location of Capital.....	115	Cottey.
Memorial from St. Louis grand jury.....	118	Cabell.
Memorial from Northwest Immigration Society.....	141	Manring.
Prohibition	143	Heaston.
Same	143	Dobyns.
Marriage law	143	Heard.
Female suffrage.....	143	Dungan.
Charter St. Charles and Marie Croche rock road.....	164	Edwards of St.
		Charles.
Prohibition.....	164	Mackay.
Marriage law.....	171	Heard.
School law.....	171	Bryant.
Prohibition	181	Caldwell.
Marriage law.....	188	Heard.
Assessment of grain.....	188	Stephens.
Change of time in assessment.....	195	Heard.
Railroad charges.....	195	Hutt.
Prohibition.....	195	Pehle.
Same	198	Rogers.
Railroad transportation.....	198	Rouse.
Passage of Senate bill 79.....	198	Pehle.
Prohibition	204	Caldwell.
Same	204	Byrns.
Marriage law.....	217	Heard.
Same	218	Mabrey.
Protest against prohibition.....	219	Pehle.
Passage of Senate bill 79.....	219	Pehle.
Marriage law.....	219	Walker.
Change of time of assessment.....	224	Rouse.
Prohibition	224	Rouse.
Change of merchants' license law.....	225	Jacobs.
Prohibition	238	Pehle.
Marriage license.....	238	Edwards of La-

		Presented by
Law regulating cost of transportation.....	288	Rland.
Same.....	238	Headlee.
Prohibition (2).....	238	Byrns.
Same.....	245	Rouse.
Against Senate bill 98.....	245	Edwards of La- fayette.
Prohibition.....		
Protest against prohibition.....	253	Edwards of St. Charles.
Boquet petition for appropriation to University.....	262	Rogers.
Prohibition	267	Heard.
Same.....	267	DeArmond.
Same.....	268	Heaston.
Appropriation for State University (mem.).....	274, 288	Stephens.
Prohibition	274	Dobyns.
Same.....	284	Heaston.
Mem.—Reduction of salaries of officers.....	291	Mackay.
Change of revenue law.....	291	Mackay.
Prohibition	292	Mackay.
Same.....	292	Bland.
Same.....	292	Byrns.
Same.....	292	Dobyns.
Mem.—Passage of medical regulation law.....	292	Lloyd.
Prohibition.....	328	Mackay.
Same.....	328	Edwards of La- fayette.
Same.....	353	Caldwell.
Same.....	371	McMahan.
Same.....	379	Dobyns.
Same.....	379	Stephens.
Touching Hunt's minutes.....	346	Rogers.
Change in dramshop law.....	359	Bland.
Prohibition.....	501	Heard.

Reports, Messages and Communi- cations.

	PAGE
Communication from Secretary of State with list of Senators elect—President.....	8
Messages from House.....10, 71, 87, 108, 124, 130, 134, 146, 198, 216, 222, 223, 226, 188, 244, 250, 261, 268, 304, 314, 279, 342, 363, 364, 366, 374, 375, 382, 383, 392, 410, 416, 417, 425, 433, 449, 453, 467, 472, 479, 480, 484, 489, 495, 525, 529, 555, 540, 542, 543, 547, 548, 560, 565, 570, 585, 590, 598, 604, 611, 614, 618, 623, 625, 626, 628, 629, 630, 632, 636, 638, 642,	644
Communication from J. R. Standly.....	144
Report of committee on treasury deficit—Cottey.....	165
Report of committee on renting rooms—Walker.....	178
Messages from Gov. Phelps.....10, 39,	43
Reports from special committee on elections—Lloyd.....40, 41, 53, 68,	99
"Copy of trust," submitted by President.....	43
Report of Adjutant-General transmitted by Gov. Phelps.....	43
Communication from court of appeals.....	50
Communication from Bank of Commerce.....	50
Report from Committee on senatorial and representative apportionment.....	663
Messages from Gov. Crittenden.....53, 55, 70, 108, 110, 112, 116, 138, 173, 210, 240, 246, 257, 260, 314, 399, 422, 443, 479, 492, 506, 510, 565, 600, 619, 634,	662
Report of 2d district normal school—President.....	58
Report of committee to settle with Auditor and Treasurer—Morrisson.....	58
Reports from Committee of Ways and Means—Cottey.....61, 92, 135, 169, 170, 173, 227, 239, 249, 250, 251, 254, 362, 387, 414, 435, 437, 488, 442, 482, 580, 584, 585, 587, 596, 609, 610, 635, 636, 642, 645, 646, 647, 649,	650
Reports from Committee of the Whole—Hutt.....121, 223, 239, 256, 288, 289, 295, 333, 334, 346, 374, 362, 366,	374
Same—Edwards of St. Charles.....	468
Same—Morrisson.....61, 62,	103
Report of Committee on Lunatic Asylums.....	229
Report of Warden of Penitentiary.....	65
Report from Committee on State Lands—Rogers.....70, 113, 296, 329,	372
Report of Committee on Rules.....	71
Report of committee on rooms for committees.....	270
Communications from Auditor.....86, 214(233),	272
Communication from Attorney-General.....	89
Reports from Committee on Judiciary—DeArmond.....130, 131, 109, 131, 132, 139, 173, 185, 203, 216, 217, 223, 224, 225, 226, 248, 254, 269, 270, 276, 277, 282, 299, 306, 307, 330, 331, 359, 360, 362, 365, 374, 375, 436, 487, 581, 519, 521, 530, 531, 539, 549, 577, 579, 580, 595, 601, 637, 640, 652,	660
Same—Dungan.....	659

REPORTS, MESSAGES, Etc.—Continued.

	PAGE
Reports from Committee on Engrossed Bills—Edwards of St. Charles.....	100, 124,
187, 148, 144, 172, 199, 202, 203, 205, 206, 229, 240, 243, 253, 275, 286, 289, 290, 291,	
295, 296, 311, 812, 325, 326, 338, 334, 336, 350, 351, 360, 361, 376, 419, 420, 421, 433,	
434, 435, 441, 365, 472, 488, 497, 520, 576,	594
Same—Hutt.....	189, 190, 379, 385, 399, 400, 401, 402, 413, 414,
Reports from Committee on Elections—Rouse.....	108, 220,
Report of State University—Walker.....	110
Communication from Clerk of Supreme Court—President.....	111
Communication from St. Louis Fire and Marine Insurance Co.—Gottschalk.....	111
Report on furniture for Senate Chamber.....	118
Reports from Committee on Federal Relations—Heaston.....	118, 119, 251, 258,
Reports from Committee on Criminal Jurisprudence—Byrns.....	119, 167, 183, 184,
196, 207, 209, 226, 249, 254, 269, 275, 276, 277, 285, 294, 300, 301, 307, 330, 348, 349,	
359, 385, 386, 389, 436, 460, 476, 501, 512,	611
Same—Lloyd.....	509
Same—Edwards of St. Charles.....	533, 576, 577, 612, 613, 643, 648,
Reports from Committee on Permanent Seat of Government—Walker.....	120
Reports from Committee on Blind Asylum—Jacobs.....	125, 172
Reports from Committee on Retrenchment and Reform—Mackay.....	184, 182, 292,
293, 305, 350, 456,	560
Reports from Committee on Insurance—Naylor.....	188, 179, 220, 239, 275, 330, 357,
366,	450
Reports from Committee on Banks and Corporations—Heard.....	171, 218, 241, 259,
263, 379, 381, 413, 464, 523, 524, 546, 547, 643, 644,	660
Reports from Committee on Internal Improvements—Lloyd.....	182, 334, 387, 460, 509,
638, 651, 652,	653
Reports from Committee on Agriculture—McMahan.....	182, 308, 372, 391,
Reports from Committee on Penitentiary—Walker.....	184
Reports from Committee on Claims—Edwards of Lafayette.....	190, 329, 347, 358, 372,
459,	498
Same—Heaston.....	543
Reports from Committee on Education—Morrison.....	191, 260, 305, 306, 308, 421, 434,
449, 487, 521, 576, 602,	650
Reports from Committee on State University—Stephens.....	196, 297,
Reports from Committee on Enrolled Bills—Bradley.....	202, 232, 233, 240, 241, 246,
303, 384, 397, 424, 440, 477, 493, 502, 503, 517, 518, 557, 558, 562, 597, 598, 608, 618,	
653,	654
Same—Hutt.....	666,
Reports from Committee on Internal Improvements—Headlee.....	207,
Reports from Committee on Federal Relations—Heaston.....	215
Reports from Committee on Township Organization—Manring.....	254, 275, 276, 297,
490, 533,	575
Reports from Committee on Constitutional Amendments—Dobyns.....	300, 330,
Reports from Committee on Ways and Means—Heaston.....	308,
Reports from Committee on Swamp Lands—Mabrey.....	331, 351,
Reports from Committee on Ways and Means—Morrison.....	347
Reports from Committee on County Boundaries—Dungan.....	347, 533,
Reports from Committee on Printing—Heaston.....	348, 350,
Reports from Committee on Roads and Highways—Perkins.....	353, 391,
Report from Committee on Militia—Mackay.....	371
Report from Committee on Insane Asylums—Bland.....	372
Report of committee on clerical force to complete work after adjournment—Mc- Grath.....	485
Report of conference committee on S. B. No. 6—Cotney.....	263
Report of conference committee on S. B. No. 186—Cotney.....	552
Reports from the Committee on Federal Relations—Headlee.....	380
Reports from the Committee on Mining and Manufactures—Headlee.....	490, 508,
Report of Committee on Senatorial and Representative Apportionment—Bryant.....	514
Report from special committee on adjournment—Cotney.....	517
Report from Committee on Deaf and Dumb Asylum—Hutt.....	523
Report from Committee on Immigration—Cabell.....	523,
Report from committee on conference on H. B. 459—Rouse.....	621
Report of special committee on H. B. 566—Cabell.....	626
Parting communication from Senator Caldwell.....	651
Report of committee to inform Governor of hour of adjournment—Cotney.....	689

Classified Index.

No.		PAGE
23	Act relating to sales of mortgaged real estate after death of mortgagor.....	54, 321
		57, 263, 269, 312,
26	To amend sec. 173, real estate contracts.....	56, 59, 96
43	To provide for appointment of guardians, etc., by probate judges.....	65
46	To provide for purchase of real estate for benefit of wards.....	65, 105, 185, 203, 210
47	To provide for purchase of real estate for benefit of creditors.....	65, 105, 113, 185, 210
52	To amend sec. 201.....	89, 96, 130, 144, 146, 223, 240, 241, 260
53	To amend sec. 22.....	89, 96
101	To amend sec. 22.....	141, 142, 170, 173, 190, 194, 223, 241, 257, 392
154	To amend sec. 137, redemption, sale and conveyance of real estate in.....	215, 242
155	To amend sec. 295, appeals in.....	215, 252, 269, 296, 320, 439, 477, 479, 492
156	To amend sec. 116, and enact new section, private sale of personalty in.....	215, 242, 269, 296, 319, 633, 666, 677

ADJUTANT-GENERAL.

	Report of, transmitted by governor.....	48
	Account of D. Jannoponio referred to.....	95
80	Act authorizing settlement of militia claims.....	112, 140

AGRICULTURE.

(See also "Animals.")

	Petition from Oakland grange.....	105
--	-----------------------------------	-----

ANIMALS.

28	Act to discourage keeping of useless dogs.....	56, 59, 113, 115, 137, 165, 189, 191, 192, 384, 465, 466, 493, 494, 506
65	Concerning restraint of diseased and Texas cattle.....	103, 106
70	To amend sec. 5429, dogs.....	107, 120
107	To amend sec. 4358, restraint of diseased and Texas cattle.....	142, 173, 189, 192, 226, 246, 260
141	To restrain stock from running at large.....	200, 255, 308, 360, 367
241	To restrain stock from running at large.....	326

APPORTIONMENT.

253	Act to apportion representatives and divide the State into senatorial districts.....	445, 466, 663
	Report from committee on.....	663

No.		PAGE
APPROPRIATIONS.		
18	Act for relief of L. C. Lohman.....	54, 56, 190, 208, 209, 439, 498, 494, 507
41	For support of State government for 1881 and 1882.....	61, 69, 92, 93, 94, 96, 100, 101, 608, 623, 624, 654, 656, 657, 662
50	To pay Rolla board of education.....	86, 96, 229, 805, 836, 341, 627, 654, 655, 692
73	For redemption of certain U. M. bonds.....	107, 189, 417, 446, 611, 654, 656, 662
88	To pay K. C. Mitchell for U. M. bonds.....	112, 191, 206, 211, 438, 493, 494, 507
85	To pay heirs of A. H. Henderson ...	113, 140, 190, 206, 211, 212, 439, 541, 542, 558, 559, 565
96	To pay New York Bank of Commerce.....	124, 176, 251, 290, 315, 316, 383, 418, 440, 479
112	To complete Warrensburg Normal school.....	164, 187, 580, 638, 666, 669, 677
139	To provide medical treatment of insane criminals...	196, 209, 226, 271, 281, 565, 595, 596, 628, 654, 655, 663
140	To relieve T. W. Brady.....	196, 209
143	To relieve Calvin Gunn.....	200, 236, 253
177	To relieve C. G. Comstock.....	284, 279, 847, 848, 400, 405, 586, 601, 619
178	To relieve D. P. Dyer.....	284, 280, 847, 400, 403, 404
206	To relieve T. J. Baker.....	272, 280, 301, 830, 576, 595
207	To relieve H. J. Skinner.....	272, 281, 300, 836, 343, 544, 562, 600
217	To relieve J. S. Rollins.....	274, 327, 858, 400, 403, 667, 676, 677, 678
281	To relieve G. W. Arnold and G. W. Fricke	292, 310, 362, 413, 415, 586, 596, 600
232	To relieve Edward Price.....	292, 310, 362, 435, 444, 659, 660
234	To enlarge University.....	310, 336, 432, 542
235	To pay P. H. Edwards..	313, 328, 372, 420, 423, 633, 666, 669, 678
ASSESSMENT.		
(See Revenue.)		
ASYLUMS.		
(See "Institutions.")		
ATTORNEY-GENERAL.		
	Report on House bills Nos. 8 and 9.....	89
86	Act to authorize Governor and Attorney-General to appoint agent to collect militia claims.....	115, 140
AUDITOR.		
	Gov. Phelps' reference to settlement with	39
	Report of, transmitted by Governor.....	43
	Report of committee to settle with Auditor and Treasurer	58
	Report of Auditor on land sold to J. B. Lindley and A. H. Henderson.....	88, 233
6	Joint resolution authorizing committee to settle with Auditor and Treasurer to cancel vouchers.....	101, 106, 113, 137, 140, 228, 232
64	Act concerning deferred settlements with Auditor and Treasurer.....	103, 121, 131, 140, 174, 198, 197, 205, 410, 424, 425, 448
	Communications from	88, 214, (233), 272
	Committee to examine books of Auditor and Treasurer for 1879 and 1880.....	634
BANKS AND CORPORATIONS.		
(See also "Railroads.")		
	Gov. Phelps' reference to Bank of Commerce.....	36
	Communication from Bank of Commerce	50
2	Act relating to benevolent associations.....	41
25	To amend sec. 974, benevolent associations.....	56, 59, 103
96	To pay New York Bank of Commerce.....	124, 176, 251, 290, 315, 316, 384, 418, 440, 479

No.		PAGE
104	To amend sec. 818, protection of stockholders.....	141, 170, 176, 218, 229, 237, 241, 276, 287
150	To amend sec. 806, of private.....	204, 255, 360, 400, 405, 412, 683, 663, 676, 677, 678
181	To amend sec. 912, of private.....	234, 280, 660

BILLS OF LADING AND WAREHOUSE RECEIPTS.

153	Act to amend secs. 558 and 459 (negotiable and transferable).....	214, 241, 263, 291, 818
-----	---	-------------------------

BILDIARD AND OTHER TABLES.

(See "Licenses," "Crimes" and "Gaming.")

BONDS.

	Resolution concerning State bonds.....	51
36	Act to authorize fund commissioners to redeem.....	59, 116, 646
60	To authorize issue of renewal revenue.....	100, 121, 250, 289, 818, 314
61	To enable counties, cities and towns to fund.....	100, 113, 169
73	To appropriate money for redemption of certain U. M. bonds.....	107, 139, 329, 417, 446, 611, 654
82	To provide for taxing State.....	113, 140, 646
83	To pay K. C. Mitchell for U. M. bonds.....	112, 191, 206, 211, 488, 498
84	To consolidate school and seminary funds and cancel State, etc.	112, 140, 308, 361, 644, 558, 565
96	To pay Bank of Commerce for paying State, and coupons.....	124, 176, 251, 290, 315, 316, 384, 418, 440, 479
98	To provide payment of certain State warrants and bonds.....	124, 176, 645
116	To fund building debts of counties.....	165, 187, 225, 241, 290, 317, 318, 480, 493, 494, 507
130	To authorize issue of redemption, etc.....	182, 209, 646
173	Relating to bonds of ex officio collectors.....	225, 235
174	Relating to on appeals and recognizances.....	225, 265, 276, 312, 323
236	To amend sec. 7631 (H. & St. Joe money to be disposed of).....	316, 335, 347, 402, 408, 615, 624, 654, 657, 674
239	To amend sec. 7631, treasury (disposition of money paid in treasury)...	326, 335, 645

CIRCUITS, JUDICIAL.

(See "Circuit Courts.")

CITIES, TOWNS AND VILLAGES.

48	Act to amend secs. 4987 and 4989, concerning mayors and aldermen...	70, 121, 171, 172, 189, 192
61	To authorize counties, cities and towns to fund bonds.....	100, 118, 169
99	Concerning recovery of special taxes paid under void laws in certain cities...	134, 170, 660
128	Concerning police.....	181, 196, 660
133	Concerning registration in cities of 100,000.....	188, 209, 214, 220, 221, 222, 286, 302, 410, 517, 529
151	Concerning stenographers in criminal courts in cities of 100,000.....	204, 252
169	To amend sec. 4941, cities of 4th class.....	215, 242, 289, 818
167	Concerning liability of cities, towns and persons for damage by riot.....	224, 255, 299, 325, 338, 599, 620, 621, 654, 655, 663
237	Relating to towns and cities acting under special charter.....	316, 385, 372, 402, 441, 444, 445

CLAIMS.

(See "Appropriations.")

COLLECTORS.

(See "Revenue.")

No.	COMMISSIONERS OF DEEDS.	PAGE
74	Act to amend sec. 640.....	108, 120, 139, 190, 193
	CONSTITUTION.	
8	Joint resolution for amendment concerning court of appeals.....	133
	Petition from women for amendment.....	102
	Petition for changing location of Capital.....	115
	Petition for prohibition amendment.....	148, 164, 181, 195, 197, 198, 204, 224, 288, 241, 267, 268, 284, 292, 328, 353, 371, 379
10	Joint resolution for amendment concerning revenue and taxation.....	200, 236, 254, 330
11	Joint resolution for prohibition amendment.....	218, 252, 522, 523
	Protests against constitutional amendment for prohibition.....	219, 253
147	Act to provide manner of submitting amendments to vote.....	204, 252, 276, 277, 311, 322, 424, 425, 448
16	Joint resolution—amendment concerning judicial department.....	272, 233, 291, 300
219	Act to amend so as to reorganize judicial system.....	284, 327
16	Joint resolution in regard to judicial department.....	272, 283, 291, 300, 334, 339
	COUNTIES.	
35	Act to prescribe duties of county surveyors.....	59, 105, 113
57	To amend secs. 5371, 5372 and 5407, concerning warrants.....	98, 118, 182, 172, 178, 226, 281, 282, 303, 314
61	To authorize funding of bonds.....	100, 118, 169
116	To authorize counties to fund debts for public buildings.....	165, 186, 225, 241, 290, 317, 318, 490, 493, 494, 507
201	To authorize counties and townships to build graded, macadamized or gravel roads.....	262, 270
215	In relation to assessment of real estate on county lines.....	274, 327, 347, 357, 646
	COURT OF APPEALS.	
	Communication from.....	50
8	Joint resolution for constitutional amendment concerning.....	133, 170
16	Joint resolution for constitutional amendment concerning judicial department.....	272, 283, 291, 300, 334, 339, 393, 417, 477, 478
219	Act to amend constitution and reorganize judicial system.....	284, 327
	COURTS—CIRCUIT.	
164	Act regulating time of court in 14th circuit.....	219, 242, 276, 312, 323, 324, 383, 397, 399
170	Regulating time of court in 23d circuit.....	225, 235, 254, 290
249	To amend sec. 1150, courts in 6th circuit.....	398, 402, 436, 437, 478, 483
	COURTS—COUNTY.	
68	Act to repeal sec. 1209, duty of county court.....	103, 121, 216, 217, 240, 242
89	To amend sec. 1215, pay of county court judges.....	118, 170, 182
	COURTS—CRIMINAL.	
151	Act to provide stenographers for in cities of 100,000.....	204, 252, 275, 326, 337, 492, 503, 510
202	To amend sec. 1878, election of special judge.....	262, 270
208	To repeal secs. 18 and 19, appendix—criminal court.....	262, 270, 279, 289, 306, 667, 670, 678
	COURTS—PROBATE.	
7	Act to amend sec 1182.....	42, 51
17	Relating to court of Jackson county.....	51, 55, 110, 124, 132
43	To provide for appointment of guardians by judges.....	65, 105
46	To authorize guardians, under order of court, to purchase real estate for benefit of wards.....	65, 105, 185, 103, 210

No.		PAGE
71	To authorize judges to complete unfinished records.....	107, 121
102	In relation to judges.....	141, 170, 208, 229, 236

COURTS OF RECORD.

24	Act to amend sec. 1021, qualifications of judges.....	54, 57
214	To declare meaning of word "vacation"—courts of record.....	274, 287
247	Concerning indexing minutes in certain cases.....	358, 361, 874, 435, 445, 681, 687, 688, 689

CORONER.

(See "Sheriffs, Marshals and Coroners.")

COURTS—SUPREME.

	Gov. Phelps' reference to.....	29
	Clerk of asked for certain information.....	104
108	Act to regulate practice in.....	141, 176, 223, 224, 272, 312, 324, 325
16	Joint resolution for constitutional amendment concerning judicial department.....	272, 288, 291, 800, 330, 477, 478
219	Het to amend constitution and reorganize judicial system.....	284, 327
246	Concerning written opinions.....	358, 361, 365, 414, 416, 617, 620, 654, 656, 668

CRIMES AND CRIMINAL PROCEDURE.

	Gov. Phelps' reference to criminal law.....	27
10	Act to amend sec. 1307.....	42, 184, 185, 200, 201, 384
33	To amend secs. 1900, 1002 and 1904.....	59, 106, 120
40	To amend sec. 1318, petit larceny.....	60, 105, 167, 168, 169
45	To provide additional punishment in certain cases.....	65, 109, (227), 228, 290, 310
55	Concerning persons acquitted of homicide on pleas of insanity.....	96, 121, 132
57	Penalty on county officers.....	98, 113, 132
58	To amend secs. 1307 and 1308, against property.....	98, 105
100	To amend sec. 4200, penalty for keeping unlicensed billiard or other table.....	184, 176, 200, 201
115	To amend sec. 1819.....	165, 186, 196, 205, 211
124	To amend sec. 1686.....	181, 196, 209, 229, 237
139	To provide medical treatment of insane criminals.....	196, 209, 226, 271, 281
165	Concerning surety to keep the peace.....	219, 242, 276, 311, 322, 323
174	Concerning appeal bonds and recognizances.....	225, 264, 276, 312, 323
176	To regulate sale of vinegar.....	228, 279, 301, 330, 342
183	To amend sec. 1864.....	234, 280, 333, 341
186	Concerning transportation of nitro-glycerine, etc.....	239, 280, 307, 308, 350, 355, 586, 597, 598, 600
188	To provide reformatory school for juvenile offenders.....	239
191	To establish reform school for juvenile offenders.....	247, 288
203	To amend sec. 1878, election of special judge.....	262, 270, 235, 333, 342, 343
218	To amend sec. 1486, exacting illegal fees by officers.....	275, 309
220	To punish arson, burglary, robbery or larceny, second offense.....	284, 327
221	Relating to law of libel.....	284, 333
223	Relating to exacting illegal fees.....	284, 309, 330, 360, 368, 666, 668, 678
226	To amend sec. 6814, penalty on merchant selling without license.....	284, 327

DAMAGES.

167	Act concerning liability of cities, towns and persons for damage by riot, 224, 255, 325, 338, 599, 620, 621, 654, 655, 663
-----	--

DEPOSITIONS.

37	Act to regulate taking of.....	60, 118
----	--------------------------------	---------

DOGS.

(See "Animals.")

No.		PAGE
	DOMESTIC ANIMALS.	
	(See "Animals.")	
	DOORKEEPER.	
	(See "Senate.")	
	DRAINAGE.	
	(See "Lands.")	
	DRAMSHOPS.	
149	Act to amend sec. 5467, penalty.....	204, 252, 285, 311, 322, 567, 600
175	To amend sec. 5441, license tax on.....	225, 278, 279, 349, 400, 404
185	To amend secs. 5442 and 5464, license and prohibition.....	289, 280, 349, 435, 442
193	For better regulation of.....	247, 288, 401, 488
	Petition for change in dramshop law.....	359
	DRUGGISTS.	
81	Act to repeal chap. 100, druggists and their licenses.....	112, 120
90	To repeal chap. 100, and regulate sale of liquor.....	118, 170
105	To repeal chap. 100, and regulate retailing of liquor.....	141, 176, 348, 349, 420
	EDUCATION.	
	(See "Schools.")	
	ELECTIONS.	
	Reports from Special Committee on Elections.....	40, 41, 53, 63, 99
	Petitions of J. O. Terry on election of Hon. H. Manistre.....	52
5	Act to repeal act providing right to vote by those who have failed to register.....	41, 108, 109, 116, 336, 340
	Petitions for female suffrage.....	143
129	Act to repeal act providing right to vote by persons who fail to register, 181, 191, 220, 262, 265, 266, 627, 653, 654, 662	
147	To provide manner of submitting constitutional amendments to vote, 204, 252, 311, 322, 393, 424, 425, 448	
183	Concerning registration in cities of 100,000.....	188, 209, 214, 220, 221, 232, 286, 302, 410, 517, 529
189	To amend sec. 7438, township elections.....	247, 288, 297, 326, 480, 493, 494, 506
	EXECUTIONS.	
119	Act to amend sec. 2848.....	171, 186, 331
	FEES AND SALARIES.	
	Resolution of inquiry as to fees and salaries of State and county officers.....	60
29	Act to amend sec. 5626, 5627, 5628, 5629, 5630 and 5682, fees.....	56, 59, 103
34	To amend sec. 5609.....	59, 182, 203, 209
76	To amend secs. 5614 and 5622, of constables and justices of the peace.....	108, 113
89	To amend sec. 1215, pay of county judges.....	118
125	To fix pay of certain officers of General Assembly.....	181, 293, 294, 305, 306, 811, 334, 340
171	To amend sec. 5608, concerning non-allowance.....	225, 293, 293, 325, 338
218	To amend sec. 1486, exacting illegal, by officers.....	275, 309
228	To amend sec. 1486, exacting illegal, by officers.....	284, 309, 330, 360, 368, 687, 668, 668, 678
224	To amend sec. 5617, fees of recorders.....	234, 310
237	To amend sec. 5607, fees of sheriffs, etc.....	284, 310, 359, 435, 448, 630, 676, 678
	Petition for reduction of salaries of public officers.....	291
	FISH AND GAME.	
	Gov. Phelps' reference to fish culture.....	35
95	Act to require chutes over dams.....	124, 170, 182, 205, 212, 375, 384, 399

No.	FUND COMMISSIONERS.	PAGE.
36	Act to authorize to redeem bonds, etc.....	59, 116, 646
60	To authorize issue of renewal revenue bonds, etc.....	100, 121, 260, 289
84	To authorize issue, consolidate school and seminary funds, etc.,	112, 140, 308, 309, 361, 369, 544, 568, 565
130	To authorize issue of redemption bonds.....	182, 209, 648
236	To amend sec. 7631, empowered to purchase certain bonds with surplus funds.....	816, 835, 347, 402, 408, 615, 624, 654, 657, 674
239	To amend sec. 7631, treasury (purchase of bonds with extra funds),	826, 835, 645
	GARNISHMENTS.	
184	Act to amend sec. 2519, exemptions from service of garnishee notice....	194, 201
	GOVERNOR.	
	Annual message of Governor Phelps.....	10
	Reference of same to committee.....	64
	Messages from Gov. Phelps.....	10, 39, 43
6	Act authorizing appointment of committee to visit institutions.....	41, 61, 95, 97, 124, 133, 176, 261
	Messages from Gov. Crittenden.....	53, 65, 70, 108, 110, 112, 116, 188, 173, 210, 240, 246, 257, 260, 314, 399, 422, 448, 479
64	Act for committee on deferred settlements with Auditor and Treasurer, etc.,	103, 121, 181, 140, 174, 196, 205, 218
86	To authorize Governor and Attorney-General to appoint agent to collect militia claims.....	115, 140
88	To authorize Governor to appoint agents to collect militia claims.....	115, 140
	Appointment of committee to examine Auditor and Treasurer's books of 1879 and 1880.....	684
	Informed of hour fixed for adjournment.....	689
	GUARDIANS AND OURATORS.	
187	Act to provide public guardians for orphan children	239, 280
	HOMESTEAD.	
77	Act to amend sec. 2689.....	109, 139
179	To amend sec. 2693.....	234, 242
180	To amend sec. 2689.....	284, 280, 332, 420, 426, 642, 654, 684
	IMMIGRATION.	
	Gov. Phelps' reference to.....	25
	Memorial of St. Louis convention.....	57
	Memorial of Northwest Society.....	141
31	Act to promote.....	56, 59, 108, 676
87	To encourage immigration.....	115, 140, 676
	INJUNCTION.	
229	Act to amend sec. 2710, bond required.....	285, 310, 381, 361, 368
	INSANE.	
55	Act concerning persons acquitted of homicide on pleas of insanity, 96, 121,	132
189	To provide medical treatment for insane criminals, etc.....	196, 209, 226, 271, 281, 565, 595, 596, 623, 654, 655, 663
187	Relating to insane persons.....	215, 242, 277, 311, 323, 590, 608, 619
211	Relating to real estate of persons of unsound mind, etc.....	274, 285, 359, 400, 406
	INSPECTION.	
184	Act to amend secs. 5853 and 5868, fees of tobacco inspectors...239, 280, 305,	351, 354, 409, 410

No.	INSTITUTIONS.	PAGE
	Gov. Phelps' reference to Asylum No. 2	35, 39
6	Act requiring Governor to appoint committee to visit institutions.....	41, 61, 95, 97, 124, 133, 261, 263, 279, 303, 314
6	To require Governor to appoint committee to visit.....	41, 61, 95, 97, 124, 176
55	To provide for confinement of insane criminals	96, 121, 132
97	To amend secs. 5901 and 5912, ...	124, 170, 172, 189, 193, 223, 246, 260
109	Relating to scientific, historical and eleemosynary.....	143, 136, 239, 278, 283, 287
	289, 295, 318, 333, 384, 346, 347, 385	
139	Relating to medical treatment of insane criminals	196, 209, 226, 271, 281, 565, 595, 596, 628, 654, 655, 663
188	To provide reformatory school for juvenile offenders.....	239, 288, 299
191	To provide reform school for juvenile offenders.....	247, 288
	INTEREST.	
	Gov. Phelps' reference to interest and sinking fund.....	14
	Gov. Phelps' reference to rate of interest.....	19
1	Act regulating interest of money.....	10, 42, 135, 136, 187, 144, 145
200	To amend secs. 2724 and 2727	262, 270, 277, 278, 296, 320 321
	INSURANCE.	
72	Act to amend chap. 119.....	107, 120, 285, 326, 336, 337, 644, 683, 685
92	Concerning surrender of special charters.....	124, 140, 220, 253, 265, 281, 296, 304, 330, 348, 356, 365, 366, 367, 379, 380, 653, 662, 667, 671, 677
108	Authorizing change of plan.....	143, 187
110	To amend secs. 6057 and 6060, taxing companies.....	164, 186, 239
	JUDGMENTS.	
62	Act to amend sec. 2732.....	101, 121, 360, 413, 414, 415
136	To amend sec. 2731.....	194, 201
196	To amend sec. 2731.....	247, 288
248	As to searches and certificates as to judgments.....	358, 361, 374, 420, 427
	JURIES.	
13	Act to repeal sec. 1804, (grand jury).....	51, 55, 119, 172, 177, 178, 375, 399
144	Concerning jurors and witnesses.....	201, 236, 248, 289, 307
	JUSTICES.	
76	Act to amend secs. 5614 and 5622, fees of.....	108
106	To amend sec. 2956, courts.....	141, 176, 226, 290, 317
114	To amend sec. 3046, courts.....	167, 186, 208, 229, 236, 439, 477, 478, 492
165	To amend sec. 1715, surety to keep the peace.	219, 242, 276, 311, 322, 323
238	To amend secs. 2025 and 2026, proceedings in misdemeanor.....	316, 335, 359, 420, 427
250	To amend sec. 2337, jurisdiction.....	398, 403
	LANDLORD AND TENANT.	
166	Act to amend sec. 3091.....	220, 255, 269, 270, 312, 324
	LANDS.	
	Report of Committee on State Lands.....	113, 140
2	Joint resolution on opening Indian Territory to settlement.....	55, 56, 118, 172, 177
142	Act relating to sale or lease of agricultural college lands.....	200, 264, 328, 419, 421, 442, 466
148	Act to provide payment of swamp land warrants.....	204, 236, 351, 352, 400, 404
161	To dispose of agricultural college lands.....	219, 242, 308
14	Joint resolution for survey of swamp lands in Missouri and Arkansas.....	261, 309
	381, (350), 401, 406, 632, 666, 668, 669, 678	
233	Act directing Register of Lands to issue corrected patents.....	297, 335
17	Joint resolution to reclaim swamp lands along Grand River.....	310, 335, 350, 401, 406
	407, 633, 666, 669, 670, 684	

LAWS.

No.		PAGE
	Gov. Phelps' reference to revision of.....	28
152	Act to amend chap. 46, article 11, construction of statutes.....	204, 217
118	Joint resolution providing for furnishing township clerks with copies of session acts and statutes.....	258, 309, 361, 869
240	Act to amend sec. 8132, No. copies session acts....	326, 335, 348, 399, 406, 633, 637, 670, 677

LICENCES.

81	Act to repeal chap. 100, druggists and their licenses.....	112, 120
90	To repeal chap. 100, and regulate sale of liquor.....	118, 170
94	To amend sec. 6334, merchants.....	124, 170, 308, 850, 854
100	To amend sec. 4200, billiard and other tables...134, 176, 183, 200, 201, 375, 441, 498, 196, 507	
205	To amend sec. 7195, shows and circuses.....	272, 809, 849
225	To amend sec. 6315, merchants' tax.....	284, 327, 645
228	To amend sec. 6314, merchants' penalty.....	284, 327, 874, 419, 422, 428
227	To amend sec. 5607, sheriffs.....	284, 810, 359, 435, 443, 680, 676, 678
243	To amend chap. 129, merchants.....	829, 348, 434, 482, 520, 535, 529, 549, 550

LIENS.

197	Act to amend sec. 8172, mechanics.....	247, 281
-----	--	----------

LIQUOR.

81	Act to repeal chap. 100, druggists, etc.....	112, 120
90	To repeal chap. 100, and regulate sale of liquor.....	118, 170
108	To repeal chap. 100, and regulate retailing of liquor.....	141, 176, 848, 849, 420
	Petitions, etc., for prohibition...143, 164, 181, 195, 197, 198, 204, 224, 288, 244, 267, 268, 274, 284, 292, 328, 358, 379, 877, 501	
11	Joint resolution for prohibition amendment.....	218, 252, 522, 523
	Protests against passage of prohibition amendment.....	219, 258

MARRIAGE.

16	Act in relation to suing married women.....	51, 55
27	To amend sec. 3468, suits by and against married women.....	56, 59, 108
78	To exempt husband from paying debts of wife contracted before marriage.....	111, 121, 224, 262, 266
	Petition for change of marriage law.....	143, 171, 188, 217, 218, 219, 238
204	Act to exempt husband from paying debts of wife contracted before marriage.....	267, 270, 277, 812, 821, 590, 608, 609, 619

MEDICINE AND SURGERY.

	Gov. Phelps' reference to Board of Health	36
93	Act to prescribe qualifications of practitioners of medicine and surgery.....	124, 170, 245
	Remonstrance against S. B.....	98, 145
122	To admit A. R. Crafton to practice.....	178, 187, 207
146	To regulate practice of.....	204, 252
199	To regulate practice of dentistry.....	259, 288, 299, 300, 476, 497, 501
	Petition for law regulating practice of medicine.....	292

MILITIA.

	Gov. Phelps reference to war claims and.....	34
73	Act to appropriate money for redemption of certain U. M. bonds.....	107, 189, 229, 417, 446, 611, 654, 656, 662
80	To authorize Adjutant-General to collect militia claims.....	112, 140, 254, 288, 295, 302, 490, 502, 507
83	To pay K. C. Mitchell for U. M. bonds.....	112, 191, 205, 211, 438, 498, 494, 507
86	Providing for appointment of agent to collect militia claims.....	115, 140, 254, 288, 295, 302, 490, 502, 507
88	Concerning collection of militia claims against United States.....	115, 140, 254, 288, 295, 302, 490, 502, 507
192	To provide greater security for State arms.....	247, 281, 376, 882, 895, 402, 483, 484

MINES AND MINING.		PAGE
No.	Resolution for committee to visit mines.....	199
245	Act to reorganize geological survey.....	363, 361
	Resolution to print report on mines and manufacturing.....	503
MORTGAGES AND DEEDS OF TRUST.		
160	Act to amend sec. 3811.....	215, 252, 282, 325, 337, 604, 618, 619, 634
212	To amend sec. 3818, compensation of trustees.....	274, 286, 381, 360, 367
218	Concerning notices of sale of real estate by mortgagees, trustees, etc.....	274, 287
NOTARIES.		
87	Act to regulate taking of depositions.....	60, 108
158	Concerning service of notices by.....	215, 252, 270, 296, 319
209	To amend sec. 6459, appointment.....	272, 281
PENITENTIARY.		
	Gov. Phelps' reference to.....	30
	Report of Warden.....	65
51	Act to amend sec. 6498.....	86, 96, 116, 184, 205, 218, 233
PUBLICATION AND PRINTING.		
	Committee on Public Printing instructed as to speedy printing of Senate bills.....	57
49	Act to create office of public printer.....	86, 96
5	Joint resolution concerning printing ordered by General Assembly.....	101, 105
	Resolution concerning prompt printing of Senate bills.....	102
	Resolution, order of printing bills, etc.....	106
68	Act concerning public printing and election of public printer.....	106, 189
	Printing report on Blind Asylum.....	180
	Printing revenue bill.....	361
69	Printing, binding and stationery.....	106, 109, 185, 186
	Resolution to print bills in pamphlet form.....	112
	Resolution to pay for Tribune.....	292
172	Act relating to distribution of books published by State authority.....	225, 235, 248, 260, 263, 266, 439, 478, 492
208	Relating to publication and distribution of Hunt's Minutes.....	372, 309
218	Relating to manner of publishing notices of sales by sheriffs, trustees, etc.....	274, 287
	Petition for publication of "Hunt's Minutes".....	346
242	Act concerning judicial notices in cities of 100,000.....	328, 348, 680
PRACTICE.		
14	Act to amend sec. 3488, return of writ.....	5155, (278
19	To amend sec. 3514, defendants plea.....	54, 53
20	To amend sec. 3721, clerks duty.....	54, 57
27	To amend sec. 3488, suits by and against married women.....	56, 59, 161
38	(Sub.) to amend sec. 3742.....	131
75	To amend sec. 3865, abatement and revival of suits.....	108, 120
108	To regulate in Supreme Court.....	141, 178, 223, 224
118	To amend secs. 3486, 3487, 3488 and 3489, civil practice.....	164, 187, 217, 243, 265, 301
117	To amend sec. 3514, civil.....	170, 186, 217, 253, 266, 301
123	To amend sec. 3738, civil.....	179, 191
126	To amend sec. 3660, civil.....	181, 196, 307, 351, 354, 632, 666, 668, 678
185	To amend sec. 3566, non-suit.....	194, 201
	Petitions for law regulating transportation.....	238
RAILROADS.		
	Gov. Phelps' reference to.....	26
89	Act to amend secs. 841 and 848.....	60, 116
7	Joint resolution concerning right of way of St. L. & S. F. Ry.....	114, 121, 143, 145, 233, 240
104	Act to amend sec. 818, protection of stockholders.....	141, 170, 176, 218, 229, 237, 241, 275, 287

No.		PAGE
	Communication from J. R. Standly on right of way of St. L. & S. F. Ry. through Indian Territory.....	144
111	Act to amend sec. 815, discrimination in grain shipments.....	164, 269, 290, 317
118	To amend secs. 841 and 846, reports, commissioners' pay.....	171, 179, 182, 206, 410, 424, 425, 492
120	To amend secs. 883, 838 and 842, freight classification.....	171, 187, 651
	Petitions for change of railroad laws.....	195, 198
187	Act to amend secs. 883, 885 and 842, charges, etc.....	195, 209, 334, 360, 432, 433
188	To amend sec. 883, charges, etc.....	195, 209, 334, 335, 279, 380, 387, 419, 421, 422
150	To amend sec. 806, bell to be rung at crossings, etc.....	204, 255, 360
169	To amend sec. 790, construction—aid to other roads.....	235, 279, 379, 484, 445, 446, 633, 667, 671, 677
186	Concerning transportation of nitro-glycerine, etc.....	239, 280, 807, 808, 850, 355, 586, 597, 598, 600
198	Concerning railroad taxes under act of March 23, 1868.....	247, 646
210	To repeal sec. 3 of act of January 16, 1860, concerning street railroads in St. Louis.....	274, 309, 651
216	To prevent companies consolidating.....	274, 809, 651

REAL ESTATE.

23	To amend sec. 145, in administration.....	54, 57, 268, 269, 312, 321, 351
26	To amend sec. 173, in administration.....	56, 59, 96
46	To authorize executors to purchase for benefit of creditors.....	65, 105, 185, 203, 210
47	To authorize executors to purchase for benefit of creditors, etc.....	65, 118, 184, 202, 210
154	To amend sec. 137, redemption, sale and conveyance in administration.....	215, 242
195	To amend sec. 698 conveyance of.....	247, 288, 307, 351, 854
215	Concerning assessment of on county lines.....	274, 827, 847, 646
222	Relating to conveyances of.....	284, 327

RECORDER OF DEEDS.

11	To amend chapter 62.....	42, 51, 226, 278, 848, 420, 426
----	--------------------------	---------------------------------

REGISTER OF LANDS.

	Report of J. E. McHenry, transmitted by Gov. Phelps.....	89, 70
--	--	--------

RELIEF AND BENEFIT.

(See "Appropriations.")

REFLEVIN.

228	Act to amend sec. 2882, affidavit in recovery.....	284, 828
-----	--	----------

REVENUE.

	Gov. Phelps's reference to.....	18
	To revenue bonds.....	19
8	Act to amend secs. 6685 and 6688.....	41, 239, 273, 283, 287, 295, 813, 833, 834, 846, 347, 88
4	To amend secs. 6685 and 6687....	41, 239, 273, 283, 287, 295, 813, 833, 834, 346, 847, 385
9	To secure priority of lien in cases of insolvent debtors to State.....	42, 51, 52, 56, 61, 68, 96, 98, 198, 210
12	To amend sec. 6660.....	50, 55, 239, 273, 283, 287, 289, 295, 313, 333, 334, 346, 347, 385
16	To amend secs. 6685, 6688, 6695, 6699, 6706, 6716, 6717 and 6718....	51, 55, 239, 273, 283, 287, 295, 313, 333, 334, 346, 347, 385
21	To amend secs. 6678 and 6675.	54, 57, 239, 273, 283, 287, 289, 295, 313, 333, 334, 846, 847, 885
32	To amend chapter 145.....	59, 120, 239, 273, 283, 287, 295, 313, 333, 834, 346, 347, 385
38	To amend secs. 6723 and 6724.....	60, 116, 239, 273, 283, 287, 295, 313, 333, 834, 846, 847, 385
54	To amend sec. 6780, monthly statements of collectors.....	96, 106, 239, 273, 283, 287, 295, 313, 833, 834, 346, 847, 385
59	To amend sec. 6785, collectors' commissions.....	99, 103, 239, 273, 283, 287, 289, 295, 813, 333, 334, 346, 847, 385
	Petitions in regard to assessment and collection.....	102, 194, 198, 224, 225, 291

No.		PAGE
60	Act concerning issue of renewal revenue bonds.....	100, 121, 250, 289
79	To amend art. 2, chap. 145, revenue.....	112, 139, 140, 198, 219, 239, 273, 283, 287, 289, 295, 318, 333, 334, 346, 347, 385
82	To provide for taxing State bonds.....	112, 140, 646
98	To provide for payment of certain State warrants and State bonds.....	124, 176, 645
99	To provide for recovery of special taxes paid under void laws.....	134, 170, 660
110	To amend secs. 6057 and 6060, taxation of insurance companies.....	164, 186, 239
127	To amend sec. 6723, copy of tax-book...181, 196, 239, 273, 288, 287, 289, 295, 313, 333, 334, 346, 347, 385	
131	To amend sec. 6659, taxation and equalization....183, 196, 239, 273, 283, 287, 289, 295, 813, 833, 834, 346, 847, 885	
	Petition concerning assessment of grain.....	188
	Resolution for bill changing time of assessment.....	198, 199
10	Joint resolution for constitutional amendment concerning taxation.....	200, 236, 254 380
148	Act to provide for payment of swamp land warrants.....	204
168	Relating to township trustee and ex officio collector.....226, 264, 276, 311, 321, 439, 493, 495, 507	
178	relating to bonds of ex officio collectors.....	225, 235, 362, 414, 416
198	Relating to collection of railroad tax under law of March 23, 1868...247, 283, 646	
215	Relating to assessment on county lines.....	274, 327, 347, 646

ROADS, HIGHWAYS AND BRIDGES.

30	Act to widen and improve roads and boulevards...56, 59, 103, 109, 253, 418, 415, 505, 518, 519, 529
42	To amend secs. 4314, 4316, 4317, 4320, 4821, 4322 and 4323, bridges...61, 116, 165, 190, 193, 194
44	To amend sec. 4324, bridges..... 65, 105, 165, 190, 192, 194
	Petition against renewal of charter of St. Charles and Marie Croche rock road 164
194	Act to provide for better management of.....247, 288
201	To authorize counties and townships to build graded, macadamized or gravel roads.....262, 270
230	To amend sec. 6938, damages for new road.....285, 310, 391, 392, 441, 444

SCHOOLS.

	Gov. Phelps' reference to education.....	20
	Same to school of mines.....	31
56	Act to amend secs. 7087, 7088 and 7089, uniformity of text-books.....	96, 105
	Report of 2d district normal school..	58
	Petitions for change of school law.....	171
67	Act to revise and amend chap. 150.....	105, 139, 200, 223, 244, 255, 366, 374, 433, 446, 454
84	To consolidate school and seminary funds.....	112, 140, 308, 309, 361, 889, 544, 558
91	To amend secs. 7169 and 7171.....	118, 170, 191, 206, 212, 213, 438, 493, 494, 509
112	To complete 2d district normal school.....	164, 187, 580, 638, 666, 660, 677
145	To provide uniformity in text-books.....	204, 264, 305, 351, 354, 388

SEAT OF GOVERNMENT.

	Gov. Phelps' reference to capitol repairs.....	33
	Approaches to capitol.....	69
1	Joint resolution memorializing congress to improve Missouri river at Jefferson City.....	54, 56, 38, 488, 489
251	Act to amend sec. 5083, of commissioner.....	398, 402, 435, 436, 465, 466, 467

SECRETARY OF STATE.

	Communicates list of Senators elect.....	3
9	Joint resolution authorizing delivery of statutes to librarian of State University.....	142, 176, 196, 206, 214, 477, 479, 492
172	Act requiring delivery of certain publications to secretary of Missouri Historical Society.....	225, 235, 260, 263, 266
	Resolution instructing to distribute documents after adjournment.....	600

SENATE.

	Temporary organization.....	3, 4, 5
	Resolution—call of senatorial districts.....	4

No.		PAGE
	Committee to prepare rules.....	5
	Secretary of State asked to furnish Statutes.....	5
	Resolution concerning inauguration.....	45
	Hon. H. C. Brokmeyer's farewell address.....	45
	Standing committees.....	47
	Election of permanent officers.....6, 7, 8,	9
	House informed of permanent organization.....	9
	Officers sworn in.....	9
	Senate proceeds to hall of House for inauguration of Governor elect Crittenden.....	45
	Hon. R. A. Campbell inaugurated.....	47
	Question of privilege raised by Senator Lloyd in case of Senator Manistree.....	57
	Executive sessions.....58, 55, 57, 70, 110, 114, 117, 139, 273, 287, 334, 393,	410
	Reports of Committee on Elections as to Senators' credentials... 40, 41, 53, 63,	99
	Resolution—clerk for Committee on Rules.....	60
	Resolution—rooms for committees.....60, 134, 178,	270
	Election of Senator.....	66
	Rules, amendments, etc.....71, 123, 184, 316,	335
	Casting up vote for United States Senator.....	87
	Reception of E. B. Washburn and portrait of E. Hempstead.....128, 142, 146,	147
	Changes of committees.....	99
	Resolution to pay expenses of contest of R. G. Coleman.....	114
	Report concerning furniture.....	118, 120
	Committee of Whole...121, 223, 244, 256, 287, 289, 295, 383, 334, 346, 352, 366, 374,	468
12	Joint resolution relating to absence of members.....	258, 309, 350
15	Joint resolution for adjournment.....	267, 270, 345
	Resolution as to pay of employees.....	559
	Resolution of thanks to Lieut. Governor.....	652
	Resolution of thanks to secretary and assistants.....	652
	Resolution concerning clerical force after adjournment.....	666, 685
	Thanks to president pro tem.....	673
	Thanks to chairmen of Committees on Engrossed and Enrolled Bills.....	673
	Pay of assistant clerks.....	673
	Resolution—new desk for president and secretary.....	674
	Committee to inform Governor of hour of adjournment.....	675
	Thanks to doorkeeper, sergeant-at-arms and pages.....	676
	Report of committee to inform Governor of hour of adjournment.....	689

SET OFF.

162	Act in relation to.....219, 255, 305, 333, 340, 341, 668, 673, 680, 688
-----	---

STATE UNIVERSITY.

9	Joint resolution authorizing Secretary of State to deliver to librarian copies of Statutes.....142, 176, 196, 206, 214, 477, 479,	492
	Bouquet petition by young ladies of Columbia for appropriation.....	282
	Memorial for appropriation.....	274, 283
142	Act concerning Agricultural College lands.....200, 264, 329, 419, 421, 442,	466
234	To appropriate money to enlarge.....810, 335, 482,	542
161	To provide for disposal of Agricultural College lands.....219, 242,	308

ST. LOUIS CITY.

5	Act to repeal act to provide right to vote by those who have failed to register.....	41, 109, 116, 386,	840
99	To provide for recovery of special taxes paid under void laws in cities of 100,000.....	184, 170,	660
128	Concerning police force.....	181, 196,	660
129	To repeal act providing right to vote by persons who failed to register.....	181, 196, 262, 265, 266, 627, 653,	662
138	Concerning registration in cities of 100,000.....	188, 209, 214, 220, 222, 236, 302, 410, 517,	529
151	Concerning stenographers in criminal courts.....	204, 252, 275, 326, 337, 492, 508,	510
208	To repeal secs. 18 and 19, Appendix—criminal court.....	262, 270, 272, 279, 289, 306, 628, 667, 670,	678
210	To repeal sec. 3 of act of Jan. 16, 1860, street railroads.....	274,	309
242	Concerning judicial notices.....	328, 348,	680
252	To amend sec. 2, chap. 6, Appendix, concerning police.....	419, 441, 460, 497,	501

No.		PAGE
	SWAMP LANDS.	
	(See "Lands.")	
	TOWNSHIPS AND TOWNSHIP ORGANIZATION.	
136	Act to amend sec. 7457.....	219, 242, 254, 296, 319, 320
168	Relating to township trustee and ex officio collector.....	225, 264, 276, 311, 321, 439, 493, 495, 507
189	To amend sec. 7433. elections.....	247, 288, 297, 326, 338, 389, 480, 493, 494, 506
190	To amend chap. 160, record books, etc.....	247, 255, 275, 276, 326, 389, 480, 510, 519, 529
18	Joint resolution for furnishing clerks with copies of Statutes and Session Acts	258, 309, 329, 361, 369
201	Act to authorize graded, gravel or macadamized roads, etc.....	263, 270
	TREASURY.	
	Gov. Phelps' reference to affairs of treasury.....	11, 29
	Report of committee to settle with Auditor and Treasurer.....	58
8	Act to secure settlement with Treasurer Gates.....	42, 51, 52, 55, 61, 66, 67, 68, 95, 97, 198, 210
22	To amend sec. 7623, lost warrants, how restored.....	54, 57, 170
6	Joint resolution authorizing committee to settle with Auditor and Treasurer to cancel vouchers	101, 106, 108, 113, 137, 140, 223, 232, 240
64	Act concerning deferred settlements with Auditor and Treasurer	103, 121, 131, 140, 174, 196, 197, 205, 218, 410, 424, 425, 443
66	To amend sec. 7631, State Treasury	103, 121, 173, 180, 249, 250, 299, 315
	Resolution of inquiry as to deficit	123
121	Act to amend sec. 7606	173, 187, 646
182	To amend sec. 7628.....	284, 280, 362, 401, 403, 414, 478, 482, 483
236	To amend sec. 7631 (purchase of bonds with surplus funds by Fund Commissioners)	316, 335, 347, 401, 402, 408, 615, 624, 654, 657, 674
239	To amend sec. 7681 (purchase of bonds).....	326, 335, 645
	Appointment of committee to examine Auditor and Treasurer's books for 1879 and 1880.....	684
	VENUE, CHANGE OF.	
132	Act to amend sec. 3729	188, 201, 216, 240, 243, 346, 439, 493, 494, 507
244	To amend sec. 3737, costs in.....	346, 353
	WAREHOUSE RECEIPTS.	
	(See "Bills of Lading.")	
	WARRANTS—COUNTY.	
	(See "Counties.")	
	WARRANTS—STATE.	
	(See "Revenue.")	
	WITNESSES.	
144	Act concerning jurors and witnesses.....	201, 236, 248, 289, 307

House Business in the Senate.

HOUSE BILLS.

No.	Bills.	PAGE
1	Act concerning street railroads.....	106, 109, 110, 207, 208, 244
2	Substitute for House bills Nos. 2, 74, 77 and 84, benevolent, etc., institutions, 184, 140, 146, 178, 179.	180
5	46 and 83, schools.....	525, 532, 544
9	(Sub.) to amend sec. 5620, witness fees	116, 122, 184, 467, 506
19	Substitute for House bills Nos. 19, 29, 36, 42, 50, 52, 72, 80 and 129, concerning assessment.....	116, 122, 198, 387, 388, 439
30	To amend sec. 2884, replevin.....	106, 109, 113
38	(Sub.) to amend sec. 3742, civil practice.....	116, 122, 181, 183, 243
47	Regulating height of hedge fences.....	842, 344, 356, 372, 373, 449, 473
60	(Sub.) to amend secs. 591 and 592, official bonds...71, 93, 117, 123, 660, 661, 678, 679, 690, 691,	692
62	Regulating sale of liquor on election day.....	544, 566
63	(Sub.) to amend sec. 1151, circuit courts.....	364, 369, 376, 421, 430, 474
66	To amend sec. 8170, distribution of Statutes	368, 370, 376
69	To amend sec. 1155, circuit court in 11th circuit.....	130, 133, 187, 279, 333, 333
71	For relief of D. Baldrige.....	366, 369, 376
78	To amend sec. 781, railroad companies	447, 449, 461, 509, 563
79	Concerning bonds of ex officio collectors.....	426, 427, 447, 610, 611
83	And 546 (P) annual school meetings	650, 651
90	To amend sec. 1631, crimes, etc.....	543, 544, 566, 577, 657
92	To amend sec. 6942, roads and highways	391, 395, 396, 440
102	(Sub.) to amend sec. 7103, school funds.....	106, 107, 109, 306, 539, 575
132	To amend sec. 5632, fees.....	438, 447, 461, 501, 507, 565
140	To prevent spread of contagious diseases among hogs, etc...	363, 370, 376, 459, 463
141	In relation to common schools.....	500
142	To amend sec. 819, concerning railroad companies, transfer switches...496, 498, 504,	672
145	(Sub.) to amend secs. 2835 and 2836, jurisdiction of justices.....	250, 255
149	To amend sec. 5467, dramshops.....	586
158	Concerning removal of school-house sites.....	489, 498, 504, 521, 587, 574
155	(Sub.) to amend secs. 96 and 97, administration.....	222, 235, 243, 875, 880, 881
159	To repeal sec. 8468, civil practice.....	548, 567, 675
161	In relation to marriage and marriage license.....	542, 544, 560, 567, 568, 569, 570, 593, 629
164	To reimburse townships for money paid into State Treasury, etc.....	366, 371, 376, 437, 438, 450, 506
166	Act for relief of N. M. Cobb.....	222, 235, 243, 269, 271, 286, 286

No.	Bills.	PAGE
178	Concerning payment of wages in lawful money, etc.....	489, 498, 504, 601, 602, 629, 680, 665
176	And 234. to repeal chap. 97, dogs.....	570, 591, 615, 616, 634, 673
177	To amend sec. 974, of benevolent, etc., institutions.....	116, 122, 138, 183
179	To amend sec. 283, final settlements of administration.....	216, 217, 235, 248, 266, 286
185	To create a board of health.....	374, 380, 395
186	To appropriate money for support of State government for years 1881 and 1882.....	250, 255, 261, 442, 443, 456, 457, 459, 459, 468, 469, 470, 471, 472, 490, 491, 525, 528, 527, 552, 553, 554, 528, 585
187	To amend sec. 3894, coroners and sheriffs.....	222, 235, 243, 380, 346, 346, 378
188	To amend sec. 2580, guardians and curators.....	222, 235, 243, 332, 333
194	To amend sec. 802, macadamized, graded and plank roads.....	304, 326, 345
199	Act to amend sec. 75, administration.....	216, 217, 234, 425, 473
202	relating to Texas, Spanish and Indian cattle.....	364, 370, 276, 391, 395, 432, 474
204	For relief of Webster county.....	411, 412, 429, 598, 597, 657
206	Relating to shipment of live stock, grain, etc.....	216, 217, 234, 380, 346, 373, 541
208	Relating to fund, manufacturing and business companies. 342, 344, (357), 418, 461	
218	To amend sec. 1051, judge of court of record not to practice.....	216, 217, 234, 625
215	Concerning private corporations.....	342, 344, (357), 379, 381, 407
217	To amend sec. 1622, crimes, etc.....	216, 217, 235, 249, 267, 286
218	To amend secs. 2798 and 2799, grand and petit juries.....	216, 217, 235, 277
220	For relief of John N. Payne.....	467, 475, 485, 542, 548, 570, 616
221	(Sub.) in relation to filing abstracts of judgments, etc.....	364, 370, 276, 437, 450, 500, 564
224	(Sub.) to amend sec. 2124, damages.....	366, 370, 277, 595, 621, 622
228	To provide for health and safety of miners.....	411, 412, 429, 497, 499, 564
229	Relating to township elections, etc.....	364, 370, 277, 399, 408, 409, 497
232	(Sub.) creating office of marshal in criminal courts in cities of over 100,000	543, 544, 659
235	To amend sec. 2963, service of subpoenas.....	222, 235, 244, 362, 383, 505
238	For relief of J. W. Liggett.....	222, 235, 269, 271, 332, 333
239	To make county treasurers ex-officio county collectors under township organization.....	433, 447, 461, 490, 500, 568
241	To amend sec. 1547, crime, etc.....	238, 243, 255, 294, 295, 366, 373
242	To amend sec. 1566, offenses against public morals, etc.....	489, 498, 504, 533, 537, 538, 549
244	To amend sec. 806, alarm at road crossings of railroads.....	250, 255, 260, 673, 674
253	To amend article 1, chapter 117, inspection petroleum.....	571, 592, 616, 648, 676
256	To amend sec. 1848, offenses against public and private property.....	571, 592, 616
267	(Sub.) to provide for electing superintendent of insurance department.....	417, 428, 448
278	To repeal act of January 16, 1860, concerning street railroads in St. Louis....	417, 428, 448, 652, 653
277	To amend chap. 37, guardians and curators.....	364, 370, (377)
278	To amend sec. 809, corporations.....	467, 475, 485, 658
279	(Sub. for 279 and 380,) to amend sec. 7514, township organization.....	364, 370, 377, 575, 588, 599, 659
282	To provide for public printing and elect a public printer.....	447, 449, 461, 511, 617
285	To amend sec. 4987, cities of 4th class.....	315, 327, 345, 381, 388, 389, 439
286	To amend sec. 7495, township organization, roads and highways under.....	383, 389, 393, 563, 589, 658
287	To provide punishment of embezzlement.....	304, 370, 377, 389
291	To amend sec. 7529, township assessors.....	314, 326, 345, 576
292	To amend sec. 6942, roads.....	342, 344, 356
295	(Sub.) to amend secs. 7031, 7032 and 7083, schools.....	417, 428, 448, 487, 534
297	To amend sec. 7445, township elections.....	364, 371, 377, 399, 409, 440
299	To amend sec. 6885, enlistment of property.....	529, 541, 545, 635
307	To amend sec. 1167, times of court in 23d circuit.....	375, 390, 395, 421, 430, 474
311	and 440 (Sub.) to amend sec. 6785, revenue.....	279, 326, 345, 580, 381, 382, 388, 384, 590, 581, 582, 604, 606, 606, 607, 606, 675
312	To amend sec. 7241, State University.....	547, 548, 566, 622, 623, 664
313	(Sub.) to amend sec. 3098, landlords and tenants.....	393, 407, 429, 519, 520, 561, 573, 658
317	To amend sec. 2121, damages in tort.....	417, 428, 448
318	To amend sec. 1574, putting dead animal in well.....	495, 498, 504, 612, 613, 637, 671

No.	Bills.	PAGE
324	Requiring railroad companies to furnish double-deck cars for shipment of sheep.....	411, 412, 429, 460, 463, 496
325	(Sub.) to amend sec. 1182, probate courts.....	505, 532, 545, 640, 679, 686, 692
329	To amend sec. 2802, juries.....	383, 389, 393
331	To amend sec. 2618 habeas corpus.....	364, 370, 377
333	To amend secs. 985 and 986, civil costs.....	342, 344, 357, 386, 555, 572
340	To authorize commissioners of deaf and dumb asylum to sell land.....	480, 484, 498, 523, 536, 578
341	Fixing number of school directors.....	392, 407, 429, 449, 454, 455, 480
342	To amend sec. 7049, school enumerations.....	505, 532, 545, 602, 603, 626, 627, 664
343	416, 493, 505, 527 and 436, township organization.....	383, 393, 393, 399, 408, 474
345	To amend chap. 59, art. 12, civil practice.....	342, 344, 356
346	and 880, to amend sec. 1157, courts of record.....	495, 498, 504, 531, 532, 571, 572, 658
349	To amend sec. 5839, inspection of petroleum.....	382, 390, 394
354	To amend sec. 1160, circuit courts.....	505, 532, 545, 577, 578, 630, 631, 632, 664
362	To amend sec. 513, prosecuting and circuit attorney.....	425, 426, 428, 448, 460, 462, 506
363	To amend sec. 5216, county boundaries.....	453, 455, 460, 651
366	To regulate inspection of tobacco.....	572, 592, 616, 635
369	To amend sec. 4934, cities, towns and villages.....	342, 344, 356, 546, 547, 575
374	To encourage increase of school fund, etc.....	383, 389, 394, 421, 431, 473
376	Concerning court of appeals.....	342, 344, 356, 876, 880
377	To repeal sec. 6661, revenue.....	555, 567, 645
381	To amend sec. 8838, recorders of deeds.....	411, 412, 429
387	To authorize counties to purchase real estate.....	383, 389, 394, 640, 641, 642, 681
388	To amend sec. 6662, revenue.....	411, 418, 429, 649, 682
391	To amend sec. 5745, immigration.....	453, 456, 460, 523, 617, 618
393	To amend act of March 19, 1879, county debt.....	364, 370, 377, 610, 665
395	To amend sec. 2743, judgments.....	572, 592, 616, 637, 638, 686, 692
399	To amend secs. 1117, 1133, 1147 and 1163, judicial circuits.....	411, 418, 429, 487, 450, 451, 496
400	To amend sec. 4145, Asylums.....	315, 327, 345, 372, 378
402	Concerning State warrants.....	315, 327, 345, 642
405	To amend sec. 1549, offenses, etc.....	382, 390, 394, 612, 599, 600
406	To amend sec. 3838, recorder of deeds.....	383, 390, 394
409	To repeal chap. 70, right of way, etc., (roads).....	572, 592, 616
412	To amend sec. 1145, courts in first circuit.....	393, 407, 429, 486, 451, 496
415	To amend sec. 8489, civil practice.....	342, 344, 356, 579, 632, 633, 686, 692
420	To amend secs. 1126, 1135 and 1165, concerning 21st circuit.....	472, 474, 480, 521, 574
421	To make trustees' and mortgagees' deeds evidence.....	315, 327, 345, 436, 451, 452, 495
426	To repeal sec. 7669, wharfage.....	472, 474, 486, 524, 584, 574
427	Providing for working roads in certain counties.....	438, 447, 461, 618, 622, 665
428	For relief of S. W. Smith and J. R. Jones.....	447, 449, 461, 497, 500, 516, 517, 543, 569
439	Substitute to amend sec. 6988, salaries.....	393, 407, 429, 455, 593, 594, 658
441	To amend sec. 5999, insurance.....	383, 390, 394, 450, 455, 456, 563
442	To amend sec. 3198, hotels, etc.....	479, 485, 498
444	Concerning funds from sales of land for taxes.....	383, 390, 394, 438, 462, 505
449	To amend secs. 6706 and 8707, revenue.....	411, 413, 429, 650, 682
450	To regulate appointment of notaries in cities of 100,000.....	478, 475, 486, 530, 531, 561, 574
451	Concerning water companies.....	382, 390, 394, 418, 431, 478
459	To regulate sale of medicines and poisons by druggists.....	447, 449, 461, 576, 577, 590, 591, 610, 621, 675
460	Concerning macadamized roads.....	365, 370, 377, 391, 396, 397, 467
462	To amend sec. 2865, justices courts.....	547, 548, 566, 659
464	To amend sec. 6733, collectors' bonds.....	268, 281, 327, 609, 627
470	To amend sec. 169, administration.....	426, 427, 448
471	To amend secs. 4952, 4958 and 4955, cities, towns and villages.....	425, 428, 448, 523, 535, 536, 575
474	Concerning registration in cities of 25,000 and less than 100 000 inhabitants.....	480, 485, 499, 524, 533, 561, 562, 615

No.	Bills.	PAGE
476	To prevent manufacture and sale of bogus butter.....410, 413, 429, 480, 463, 523, 586, 578	
479	To prevent pooling of earnings by railroad corporations..... 571, 592, 618, 672	
486	To amend sec. 1904, crimes, etc.....447, 449, 461, 512, 513, 564	
489	Concerning receivers for railroads.....545, 549, 567, 653	
490	To amend sec. 7087, 7088 and 7089, concerning text-books.....467, 476, 486	
494	To amend sec. 7044, use of school houses.....548, 549, 567, 576, 589, 590, 664	
497	To amend sec. 5493, election ballots.....549, 555, 567, 651, 652	
498	To prevent partners of prosecuting attorneys from defending.....468, 475, 486, 502, 507, 508, 567	
514	Relating to benevolent and charitable associations.....304, 326, 345, 357, 368	
515	Concerning burial grounds of cities, etc.....426, 428, 448, 464, 465, 505	
517	Providing additional justices of the peace in certain cases...473, 474, 496, 509, 510, 565	
523	To amend sec. 1180, courts of record.....411, 413, 430, 580, 590, 657	
525	To amend sec. 1158, courts of record.....455, 455, 480, 481, 482, 500, 574	
530	For relief of John Finn.....388, 390, 394, 459, 463, 464, 506	
536	Concerning county clerks' duties under township organization.....383, 390, 394, 533, 538, 573	
540	To amend sec. 6482, peddlers.....417, 428, 448	
543	For completion of Warrensburg Normal.....548, 549, 566, 636	
544	To amend sec. 4175, auctioneers.....563, 593, 611, 613, 633, 664	
548	To repeal secs. 1603 and 1604, offenses against public morals, etc.....544, 566, 613, 614, 617, 664	
554	To amend chap. 108, fees.....484, 485, 499, 560	
555	Authorizing police relief associations, etc.....365, 369, 377, 386, 412	
560	To authorize county courts to work sentenced prisoners.....467, 475, 486, 513, 564	
566	In relation to taxation of business avocations by municipal corporations, 484, 485, 499, 608, 611 626	
581	To amend sec. 5250, county boundaries (Morgan).....864, 870, 877, 891, 897, 480	
586	Concerning change of venue in counties of more than one court of record, 383, 390, 394, 436, 453, 496	
590	To provide for payment of fees in St. Louis court of criminal correction, 447, 449, 460, 501, 508, 564	
598	To amend sec. 6959, roads.....555, 566	
595	Concerning apportionment.....480, 485, 499, 514, 515, 516, 550, 551, 552, 555, 566, 557, 599, 600	
597	To amend secs. 797 and 817, corporations.....473, 475, 496, 522, 571, 616	
598	To amend sec. 980, manufacturing and business corporations.....480, 504, 546, 547, 574	
600	To amend sec. 1754, admitting to bail.....411, 413, 430, 501, 508, 563	
604	Concerning 24th circuit.....411, 413, 430, 437, 452, 453	
623	To license and tax express companies.....473, 475, 487, 496, 636	
635	To amend sec. 5245, county boundaries—Maries....484, 485, 499, 533, 588, 589, 579	
636	To amend sec. 4932, cities, towns and villages.....492, 498, 504, 547, 617, 673	
641	To amend chap. 147, roads.....572, 592, 616, 637, 653	
645	To suppress obscene literature.....529, 541, 545, 614, 619, 620, 647, 683	
660	To amend sec. 6117, school lands... 479, 485, 499, 521, 536, 537, 575	
669	To appropriate deficiency of 1879 and 1880.....529, 541, 545, 585, 625, 658	
670	To amend chap. 145, art. 8, tax on railroads.....383, 390, 395, 627, 647, 648	
677	To amend sec. 6948 and 6953, roads.....480, 486, 499, 576, 588, 665	
683	To protect miners in weights, etc.....372, 592, 616, 649, 686, 692	
689	Concerning reclamation of swamp land.....383, 390, 395, 440, 453, 454, 490	
693	To repeal sec. 2614, guardians, etc.....563, 593	
699	To amend sec. 1159, judicial circuits.....478, 475, 487, 652	
708	To amend sec. 1829, crimes, etc.....572, 592, 616, 642, 643, 685, 692	
714	Concerning grand juries in cities of 300,000 and over...571, 592, 616, 643, 685, 692	
715	To repeal sec. 884, railroad freights.....570, 592, 617, 673, 673	
719	Concerning money paid into Treasury (H. & St. J. \$3,000,000)...585, 541, 545, 637, 688, 599, 633, 639, 671, 672	
721	To amend chap. 21, private corporations.....425, 532, 545, 638, 639	
725	Concerning election of probate judges.....490, 485, 499, 539, 540, 570, 571, 616	
727	Concerning police force of Kansas City.....425, 428, 448, 464, 488, 534	
728	To construe sec. 3489, service of notice.....571, 592, 617, 636, 675	
729	Concerning chief of police of Kansas City.....480, 485, 524, 535, 573	
730	To amend sec. 5529, elections.....495, 498, 504, 628	

No.	Bills.	PAGE
738	Concerning sewerage in certain cities.....	505, 532, 545, 643, 644, 682
734	Concerning levy of tax in certain cities.....	549, 555, 566, 635, 644, 645, 686, 692
736	To authorize fund commissioners to borrow \$150,000.....	525, 532, 545, 586, 657

House Joint and Concurrent Resolutions.

No.		PAGE
1	(Sub.) memorializing Congress against bankrupt law.....	363, 371, 376
3	In relation to leaf tobacco.....	106, 107, 109, 119, 183
13	(Sub.) Pensions for Mexican war veterans.....	222, 343, 251, 268
25	Authorizing Adjutant-General to withdraw certain vouchers from Auditor.....	447, 449, 460, 584
25½	Fixing day of adjournment.....	304, 327, 345
	Same.....	490, 498, 517, 518, 530, 540, 541
29	Sympathy with Ireland.....	533, 544, 580, 591, 661, 662
33	Constitutional amendment as to taxation.....	398, 407, 428, 477
49	Duty on salt.....	590, 591, 615, 684, 688, 689

